

**ADMISSION, PERMANENCE AND TRAJECTORY OF THE BLACK POPULATION  
IN GRADUATION COURSES AT UFGD: EFFECTIVENESS OF LAW 12.711/2012**

**INGRESSO, PERMANÊNCIA E TRAJETÓRIA DA POPULAÇÃO NEGRA EM CURSOS  
DE GRADUAÇÃO DA UFGD: EFICÁCIA DA LEI 12.711/2012**

**INGRESO, PERMANENCIA Y TRAYECTORIA DE LA POBLACIÓN NEGRA EN LOS  
CURSOS DE GRADUACIÓN EN LA UFGD: VIGENCIA DE LA LEY 12.711/2012**



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**ABSTRACT:** Law No. 12,711/2012 addresses the reservation of 50% of the spots in Brazilian federal universities and institutes for students from public schools. Within this percentage, a proportion is designated for black, brown, indigenous, and disabled students. This article aims to analyze the effectiveness and distortions in implementing the Affirmative Action Law and evaluate its effects on the social mobility of black students who graduated from UFGD (Federal University of Grande Dourados). The research adopts an exploratory nature to achieve these objectives and employs both quantitative and qualitative approaches. Data was collected through questionnaires applied to black affirmative action students from 2013 to 2021. To analyze the distortions and legal effectiveness in implementing Law No. 12,711/2012, the research adopts a documentary approach, examining selection process notices and terms of adherence to the SISU (Unified Selection System) of ten Brazilian federal universities, two from each geographical region. This analysis involved prescription, description, and analysis studies guided by the Tridimensional Theory of Law (TTD) as the theoretical framework. Regarding the legal effectiveness and distortions in the implementation and execution of Law No. 12,711/2012, it was found that most notices do not comply with the legal determination of distributing spots for courses, as they group the ethnic-racial segments of black, brown, and indigenous without observing the minimum distribution and rounding rule of one place per segment. Furthermore, creating an additional feature that includes black, brown, and indigenous with disabilities uses a distribution formula that takes spots away from the ethnic-racial element without disabilities. On the other hand, the study highlights the positive impact of access to higher education on the trajectory of black students, leading to beneficial changes in employment, income, and social integration after completing undergraduate courses. This study revealed the distortions in the implementation of Law No. 12,711/2012 and its legal effectiveness and efficiency, as well as discuss strategies to address the challenges of symbolic and material retention of black affirmative action students in the university. Both studies pointed out the importance of affirmative action policies in higher education and their positive effects on graduate affirmative action students. However, it is necessary to recognize that racial inequality persists and requires overcoming tensions through structural actions based on an anti-racist culture.

**KEYWORDS:** Higher Education. Legal effectiveness. Affirmative actions. Law 1.711/2012. Policy of quotas.

**RESUMO:** A Lei n.º 12.711/2012 aborda a reserva de 50% das vagas em universidades e institutos federais do Brasil para estudantes provenientes de escolas públicas. Deste percentual, uma proporção é destinada a estudantes pretos/as, pardos/as, indígenas/as e pessoas com deficiência. Este artigo tem como objetivo analisar a eficácia e as distorções na implementação da Lei de Cotas, bem como avaliar seus efeitos na mobilidade social de estudantes negros/as que se formaram na UFGD. Para alcançar esses objetivos, a pesquisa é de natureza exploratória e emprega abordagens quantitativas e qualitativas. Os dados foram coletados por meio de questionários aplicados a estudantes negros/as cotistas, no período de 2013 a 2021. Para analisar as distorções e a eficácia legal na implementação da Lei n.º 12.711/2012, a pesquisa adota uma abordagem documental, examinando editais de processos seletivos e termos de adesão ao Sistema SISU de 10 universidades federais brasileiras, duas de cada região geográfica. Essa análise envolveu estudos de prescrição, descrição e análise, tendo como referencial teórico a Teoria Tridimensional do Direito (TTD). No tocante à eficácia legal e às distorções na implantação e execução da Lei n.º 12.711/2012, constatou-se que a maioria dos editais não atende à determinação legal de distribuição de vagas para os cursos, pois ao agrupar os segmentos étnico-raciais de preto, pardo e indígena, não foi observada a

regra de distribuição e arredondamento mínimo de uma vaga por segmento. Além disso, a criação de um segmento adicional que engloba preto, pardo e indígena com deficiência utiliza uma fórmula de distribuição que retira vagas do segmento étnico-racial sem deficiência. Por outro lado, o estudo aponta para o impacto positivo do acesso ao ensino superior na trajetória dos/as estudantes negros/as, com mudanças benéficas nas condições de emprego, renda e inserção social após a conclusão dos cursos de graduação. Este estudo evidenciou as distorções na implementação da Lei n.º 12.711/2012 e sua eficácia e efetividade legal, além de discutir estratégias para enfrentar os desafios da permanência simbólica e material de cotistas negros/as na universidade. Ambos os estudos apontaram a importância das políticas afirmativas no ensino superior e seus efeitos positivos em relação aos alunos cotistas egressos. No entanto, é preciso reconhecer que a desigualdade racial persiste e requer a superação de tensões por meio de ações estruturais baseadas em uma cultura antirracista.

**PALAVRAS-CHAVE:** Ensino Superior. Efetividade legal. Ações afirmativas. Lei 1.711/2012. Política de cotas.

**RESUMEN:** La ley no. 12.711/2012 trata de reservar el 50% de las vacantes en universidades y institutos federales de Brasil para estudiantes de escuelas públicas; de este porcentaje, asigna vacantes para estudiantes negros, estudiantes marrones, indígenas y personas con discapacidad. Este artículo tiene como objetivo: analizar la eficacia y las distorsiones en la aplicación de la Ley de Cuotas; y escalar sus efectos en la movilidad social de los estudiantes negros / graduados de los cursos de grado de UFGD. Para los objetivos de dimensionar los efectos y la movilidad social, la investigación se caracteriza como exploratoria y ha utilizado el enfoque cuantitativo y cualitativo. Los datos fueron recopilados a través de cuestionarios aplicados a estudiantes negros co-trabajadores entre 2013 y 2021. Para los objetivos de análisis de distorsiones y eficacia jurídica en la aplicación de la Ley 12711/2012, la investigación se caracteriza por el análisis documental, período 2015-2020, de editoriais de procesos selectivos y términos de adhesión al Sistema SISU (Sistema Selectivo Universal) de 10 universidades federales brasileñas (dos por región geográfica), que se llevaron a cabo estudios de prescripción, descripción y análisis. La referencia teórica utilizada para el análisis de la eficacia legal fue la Teoría Tridimensional del Derecho (TTD). En el aspecto de eficacia jurídica y distorsiones en la aplicación y ejecución de la Ley 12711/2012, se encontró que la mayoría de las publicaciones no cumplían con la determinación legal de la distribución de las vacantes ofrecidas a los cursos, porque al agrupar los segmentos en negro, marrón, indígena, no se observó la regla de distribución y redondeo mínimo de una vacante por segmento. La creación de otro segmento agrupado en discapacitados negros, marrones y indígenas utilizó una fórmula de distribución que elimina las vacantes del segmento etno-racial sin discapacidad. Además, señalar el impacto positivo del acceso a la educación superior en la trayectoria de graduación de los estudiantes negros, con cambios positivos en las condiciones de empleo/empleo, ingresos e inserción social. Este estudio permitió destacar las distorsiones de la aplicación de la Ley 12711/2012 y su eficacia y efectividad jurídica; y discutir estrategias para hacer frente a los desafíos de la permanencia simbólica y material de los cotistas negros en la universidad. Ambos estudios señalaron la relevancia de las políticas afirmativas en la educación superior y sus efectos positivos en los estudiantes de posgrado. Mientras tanto, la desigualdad racial persiste y necesita ser superada mediante la estructuración de las acciones de una cultura antirracista.

**PALABRAS CLAVE:** Educación Superior. Eficacia jurídica. Acciones afirmativas. Ley 1.711/2012. Política de cuotas.

## Introduction

Law 12.711/2012, known as the Quota Law, reserves 50% (fifty percent) of its vacancies for students who have completed their high school education entirely in public schools. Of this percentage, half is allocated to low-income students (with a per capita income of up to 1.5 times the minimum wage and a half), and the other half is assigned to students with higher income (with a per capita income above 1.5 times the minimum wage and a half). In determining the reserved vacancies, the respective proportion of Black, Brown, Indigenous, and disabled individuals in the population of the Federal Unit where the institution is located is considered based on data from the latest census conducted by IBGE (Brazilian Institute of Geography and Statistics).

Silva (2009) emphasizes that affirmative actions challenge the idea of democracy from a privileged class when "[...] in the diagnoses that inform them and in the debates that precede their adoption, it becomes evident that the groups that have maintained the privilege of governing society consider that those who are not part of them are not only different but also inferior" (SILVA, 2009, p. 266-267, our translation).

The debates and arguments against affirmative policies are based on the myth of racial democracy, which, although debunked by Black Social Movements and academia, persists in the mindset of Brazilian society. According to Gomes (2005), this myth disregards the inequalities between Black and White individuals and reinforces prejudices and discrimination. In this sense, the author points out that:

[...] if we follow the logic of this myth, that is, that all races and ethnicities in Brazil are socio-racially equal and have had the same opportunities since the beginning of the formation of Brazil, we may be led to believe that the unequal hierarchical positions between them are due to an inherent incapacity of racial groups that are at a disadvantage, such as Black and Indigenous people. Thus, the myth of racial democracy acts as fertile ground for perpetuating stereotypes about Blacks, denying racism in Brazil, but simultaneously reinforcing racial discriminations and inequalities [sic] (GOMES, 2005, p. 57, our translation).

Therefore, Silva (2009, p. 267, our translation) considers that "[...] it is important to highlight that affirmative actions, by proposing the correction of distortions, the rectification of injustices, recognition of values, history, and cultures, impact and lead to reeducation among groups and individuals."

In this regard, Gomes (2001) advocates adopting affirmative action as a form of compensatory and distributive justice. With the argument of repairing the prejudices and

discriminations experienced by past generations, Gomes (2001, p. 62, our translation) justifies that these "[...] inexorably tend to be transmitted to future generations, constituting an unbearable and unjust social, economic, and cultural burden to be carried, in the present, by these new generations."

The regulation of reserved seats in federal universities occurred in 2012, with the approval of Law No. 12.711/2012 (BRASIL, 2012). The adoption of this affirmative policy represented a significant achievement, through which the Black population began to envision new perspectives of access to higher education in a public university because, for them, "[...] higher education represents the possibility of social mobility, considering the high poverty rate detected among Blacks (Blacks and Grayish-brown). Furthermore, it represents a way to elevate self-esteem and (re)construct their ethnic-racial identity" [sic] (CORDEIRO, 2010, p. 3, our translation).

Given this scenario, the present study will present, in the following sections, the description of two studies: (1) a doctoral thesis and (2) a master's thesis that focused, respectively, on (1) the analysis of distortions and legal effectiveness in the implementation of Law 12.711/2012; and (2) the measurement of social mobility in the trajectory of Black graduates who gained access to undergraduate courses through the Quota Law.

### **Study 1: Analysis of distortions and legal effectiveness in the implementation of Law 12.711/2012**

Andrade's study (2021) focused on researching the inclusion mechanism (quotas) designed by federal universities according to Law 12.711/2012 and its regulations. The analysis was primarily based on the distribution of vacancies in the selection processes of SISU and the universities' entrance exams. To compose the sample, two federal universities from each Brazilian region (North, Northeast, Southeast, South, and Midwest) were selected, following the interior, capital, and metropolitan area criteria.

To perform the documentary analysis, the tridimensional theory of law (REALE, 1994) was used as the basis, considering the local selection announcements and the Unified Selection System - SISU. From the legal prescription and description of reality, possible distortions in the access processes or inclusion mechanisms of federal universities regarding quota access were examined.

The analysis of distortions was based on the following hypotheses: 1. The law alone is insufficient to promote social inclusion; 2. Legislation that provides for inclusion may have its effectiveness distorted if its field of application (regulations, instruments, technical resources,

democratic culture, among others) is not conducive to inclusion. Based on these assumptions, the initial thesis suggests that the law on quotas for access to federal universities faces constraints of effectiveness, as there may be distorted inclusion mechanisms in its application concerning specification, regulation, dissemination, implementation, monitoring, and verification of segmentation, resulting in a lower admission of the Black population through quotas than prescribed by the law.

In this context, the central objectives of the research are highlighted: a) to analyze limitations related to the segmentation or non-segmentation of ethnic-racial quotas in the effectiveness of the quota law; b) to measure the evolution of the number of entrants through quotas in federal universities, by social/ethnic-racial segment; and c) to identify mechanisms of distortion and effects of the segmentation of quota vacancies in face-to-face undergraduate courses in federal universities.

For this study, 10 universities (UFGD, UnB, UFSC, UFPEL, UFF, UFSCAR, UFPB, UFRB, UFAM, and UFRR) were selected, considering the criterion of the interior, capital, or metropolitan region. On the official websites of these institutions, 17 selection processes were found in 2016 and 17 selection processes in 2020, totaling 34 selection processes. The found selection modalities were: SISU (14 selection processes in 2016 and 12 selection processes in 2020), PSV (three selection processes in 2016 and four selection processes in 2020), and PSS (one selection process in 2020). Three courses were sought to be selected in each cycle, from those with intermediate demand to the most sought-after ones.

The analysis was based on documents (adhesion terms and announcements) available on the institutions' official websites in light of the tridimensional theory of law (REALE, 1994) allowed by the interpretation of Law 12.711/2012 and its regulations. The main focus of this study was the distribution of vacancies among the ethnic-racial segments of Blacks, Browns (Black individuals), and Indigenous people, segregated socioeconomically into lower or equal to one and a half times the minimum wage per capita family income - low income (LI), and above that income, the so-called free income (FI). This study aimed to address the initial thesis defended in this work, which seeks to demonstrate that the percentage of quota vacancies is not achieved due to distortions in the segmentation of profiles in the standard selection processes established by the Quota Law and other internal regulations for their selection processes and SISU.

It was observed that the grouping of PPI/LI and FI, without considering the segments themselves in the distribution of vacancies, and the distribution of vacancies by segment with mathematical rounding to achieve equity, was characterized as a standard operation in the surveyed selection processes, disregarding the principle of inclusion of ethnic-racial quotas policy. This procedure resulted in a reduction in the minimum number of vacancies for each ethnic-racial

segment. Additionally, the increase in segmentation was caused by the inclusion of the PCD group starting in 2017 and the inclusion through ordinance n. 9/2017 of the PPI/PCD segment drained vacancies from the PPI group by establishing a percentage of the local census of PCD within the vacancies intended for PPI.

The registration process for quota applicants was also exclusionary, as it did not allow the selection of options that characterized them. For example, a student applying as a Black PCD could not also compete for vacancies intended for the non-disabled Black group, public school candidates, general applicants, low-income, or free income. This type of exclusion by choice compromises affirmative action norms' reach and social effectiveness in expanding the possibility of access/entry.

In 2016, the selection processes of UFSC and UFPEL, both from the Southern Region, stood out from the other announcements. UFPEL applied a proportional distribution of vacancies based on the latest census of the local population conducted by IBGE at the headquarters of the institution instead of the minimums required by Law 12.711/2012. Instead of 16.4% for the PPI group (Black: 5.5%; Brown: 10.6%; and Indigenous: 0.3%), they used 50% or 33.6% beyond the minimum legally required. Meanwhile, in UFSC, the equitable rounding calculations were the same in the SISU and PSV/2016 procedures, reaching the minimum legally required. It was observed that in UFSC, the process was opened to meet the demands of the 1st and 2nd semesters in a single selection process, which prevented students from choosing the best time to apply.

Furthermore, complementary vacancies to the quota law were identified for Indigenous, Deaf, disabled, and Black segments. The use of territorial bonuses was observed in the processes of UFF and UFAM to value students from the location of the vacancies offered.

## **Study 2: The trajectory of Black quota students' graduates at UFGD**

Initially, the Federal University of Grande Dourados (UFGD) adopted social quotas, reserving 25% of the undergraduate course vacancies for students who had completed high school in public schools from 2009 to 2012. Starting from the selection process in 2013, the institution implemented the reservation system as provided in Law No. 12.711/2012 (BRASIL, 2012).

Social mobility is defined by Zorzi, Kieling, and Weisheimer (2009, p. 11, our translation) as "[...] the movement of individuals and groups from one social stratum to another, from one class or status position to another, or even as a change in occupation or profession. In any of these cases, mobility will imply the shift between different socioeconomic positions."

In this context, this study aimed to identify the changes that occurred in the trajectories of Black quota students at UFGD, verifying if there were positive changes in

employment/occupation, income, and social integration. In other words, it aimed to determine if access to higher education enabled social mobility for Black quota students.

For this purpose, a panel study was used, which involved a statistical configuration of the universe of students, with a sample selection of quota graduates, and questionnaires to subgroups to measure social changes after completing the course.

The data systematization and interpretation occurred through measuring social change in the subjects' trajectories, using the profile data collected in the research and the perception of the Black quota graduates, as expressed in the questionnaires and interviews.

The panel methodology consists of monitoring one or more groups through observation, questionnaires, interviews, and data collection in field notes, searching for the historical development of the studied object within the group under study (SANTOS; SANTOS, 2017, p. 208, our translation).

The panel study is also known as survey research. According to Fonseca (2002, p. 33, our translation), "[...] survey research can be referred to as obtaining data or information about the characteristics of a specific group of people indicated as representative of a target population, using a research instrument, usually a questionnaire."

The course selection criteria were based on the competition for courses in the College Entrance Exam Selection Process (PSV) and the Unified Selection System (SISU) selection processes. Thus, the following methods were selected: 1 (one) course among the 10 (ten) most competitive courses (Bachelor of Laws), 1 (one) system among the 10 (ten) moderately competitive classes (Bachelor of Education - Pedagogy), and 1 (one) course among the 10 (ten) least competitive courses (Bachelor of Mathematics - Mathematics Education).

Thus, the subgroups were characterized as follows: Group C1 (a group of six Black quota students from the undergraduate course of Bachelor of Laws), Group C2 (a group of six Black quota students from the undergraduate study of Bachelor of Education - Pedagogy), and Group C3 (a group of six Black quota students from the undergraduate course of Bachelor of Mathematics - Mathematics Education).

The data collected regarding the trajectory of Black quota students in the Law course at UFGD point to the relevance of higher education in the analyzed variables. There were positive employment/occupation, income, and social/community integration changes.

The Black students also reported the perception of the relevance of entering higher education through racial quotas. Participant C1c stated, "*I wouldn't have been able to get in*



*without the quota. These positive changes wouldn't have happened without entering the university through quotas."*

Participant C1d said that she could have accessed higher education without reserved spots for Blacks; however, she considered that achieving positive changes would have been more complex: *"I believe that these positive changes could have happened even without entering the university through quotas. However, the journey would have been more difficult or burdensome."*

The collected data showed that access to higher education positively influences the improvement of employment/occupation conditions, income, and social integration. The data showed that access to education through racial quotas contributed to positive changes in the trajectory of Black quota students in the Law course at UFGD; furthermore, completing the course enabled social mobility for the quota students, with increased income and improved employment conditions.

Regarding the Pedagogy course, the analyses revealed that the economic activities of the participants changed after entering higher education through quotas. Some students changed their type of economic activity, allowing them to dedicate more time to university classes by acquiring scholarships. Access to scholarships from the Institutional Program of Scholarships for Teaching Initiation (PIBID) and the Coordination for the Improvement of Higher Education Personnel (CAPES) was facilitated by entering higher education and contributed to the student's retention in undergraduate studies and continuation of their studies in postgraduate programs.

The collected data showed a decrease in the percentage of participants engaged in informal work, an increase in participants engaged in formal employment, and considerable mobility in the categories of work performed. Thus, it can be stated that access to and completion of higher education were crucial for the positive changes observed in the employment/occupation variable in the trajectory of Black quota students in the Pedagogy course at UFGD.

Regarding the relevance of accessing higher education through racial quotas, the participants reported that the positive changes are related to the access they had to the university, as participant C2 stated: *"I believe that all the changes in my life happened because of my education. If I hadn't graduated, I would probably still struggle for improvement with more difficulty because education brings more resilience to face the daily struggles."*

The collected data demonstrated positive changes in the three analyzed variables: employment/occupation, income, and social integration, across the three points examined: Point

A (2012, before entering higher education), Point D (2016, during access to higher education), and Point P (2019, after completing higher education), in the trajectory of Black quota students in the Pedagogy course at UFGD, to whom these changes provided situations of social mobility.

The data collected regarding the trajectory of Black quota students in the Mathematics course at UFGD pointed to the relevance of access to and completion of higher education in the analyzed variables. The data showed that positive changes occurred in employment/occupation, income, and social/community integration after entering the university.

In the employment/occupation variable, there were positive changes concerning the development of economic activity and the type of work performed. There was also diversity in the functions performed, decreased informal employment, and success in public job competitions.

Regarding the perception of the participants about the relevance of accessing higher education through racial quotas, participants C3a and C3f reported: "*I would hardly be able to enter this course if I weren't a Black quota student.*"

Participant C3f mentioned not perceiving positive changes in employment and income; however, completing the course allowed them to enter a Master's program: "*No positive changes occurred; however, I managed to enter a Master's program.*"

The students who experienced positive changes in their trajectories attribute them to their access to higher education. The Black quota students in this group point out that they improved their employment conditions, income, and social integration through success in public job competitions and opportunities to enter Masters and Ph.D. programs.

Thus, the presented data demonstrate that access to higher education through quotas was of fundamental importance for the positive changes in the trajectories of Black quota students in the undergraduate courses of Law, Pedagogy, and Mathematics.

The data analysis allows identifying more significant changes in the trajectory of Black quota students in the Law course (one of the most competitive at UFGD); however, the student profile of Group C1 was already different from those of Groups C2 and C3 upon admission. The students in Group C1 were exclusively dedicated to their studies before entering higher education, which was not observed in the other groups.

Nevertheless, the positive changes that occurred in the trajectory of Black quota students in Group C1 (Law) highlight the relevance of racial quotas in federal universities, as historically, Black students have accessed more competitive courses less frequently.

Regarding courses with intermediate competitiveness, when analyzing them starting with the Pedagogy course at UFGD, positive changes were observed in the trajectories of Black quota female students, although the differences were not as significant as in Group C1 (Law). Most participants in Group C2 (Pedagogy) reported a different entry profile than Group C1 (Law), with 83.3% of participants engaging in economic activities before entering higher education. However, after entering higher education, positive changes in work conditions and an increase in income were also highlighted. Moreover, there was a more significant social participation of the students in study groups, contributing to their admission to postgraduate courses such as specializations and master's degrees.

Analyzing the trajectory of Black quota students in courses with lower competitiveness, such as the Mathematics course, a similar entry profile was observed in Group C2 (Pedagogy), with students engaging in economic activities before entering higher education. The Black quota students in Group C3 (Mathematics) experienced positive changes in engaging in economic activities, mobility in the roles performed, and alterations in income, although the differences in pay were not as significant as in Group C1 (Law) and C2 (Pedagogy). Out of 16.7% of Black quota students in Group C3 (Mathematics) who had no income, they started earning after entering higher education, and completing the course led to a 16.7% increase in their income. Additionally, the social integration of this group also facilitated their continuation in postgraduate courses such as master's and doctoral degrees.

### **Discussion of results: Studies 1 and 2**

Espínola (2021) presents empirical data demonstrating that access to higher education positively influences improving employment/occupation, income, and social integration conditions. However, social mobility or upward social mobility for the Black segment still shows little historical difference in the job market. Osório (2021), when analyzing data and indicators from the National Household Sample Survey (PNAD) from 1986 to 2019, found that despite the increase in the Black population from 44% in 1986 to 56% in 2019, the average income of White individuals is at least twice as high as that of Black individuals, suggesting that income among Black individuals has contributed to the increase of inequality in Brazil.

One positive aspect of the research analyzed by Osório (2021) is the possibility of transforming the increase in the Black population, driven by the appreciation of Black identity, into an increase in the average income of the Black population. The trend of strengthening the appreciation of Black identity among the higher-income population also stimulates the appreciation of income for the Black population.

The network articulation of the Black movement and the anti-racist population, aiming to correct the historical distortion of Brazilian inequality, mobilizes sectors for the inclusion, employability, and professional valorization of the Black population. Projects such as EngajAfro, EmpregueAfro, EmpregaPreta, Empretos, Planilhas de Pretos, Lista Negrx, and Hiblack Network (SOUZA, 2020), offer pathways to bring together Black professionals and promote their inclusion in the labor market. However, such initiatives are still insufficient to significantly change the framework of exclusion and discrimination presented by the statistics.

During the Coronavirus pandemic, in the first and second quarters of 2020, data from Pnad Contínua, a survey conducted by IBGE, indicated that 8.9 million men and women lost their jobs or stopped seeking employment. Out of this universe of people outside the labor market, 6.4 million were Black workers, and 2.5 million were non-Black men and women (DIEESE, 2021).

Andrade's (2021) thesis demonstrates the complexity of applying, implementing, and enforcing a norm, in this case, affirmative action policies. The tension between the legal imperative of the university community and its surroundings confronts the structure of historical racist reality. The study shows a constant institutional action to seek the minimum or give the appearance of meeting the minimum legal requirements in applying the law. For example, the grouping of Black, Mixed-race, and Indigenous with low income (PPI/BR) and Free Income (RL), without considering the segments themselves in the distribution of vacancies, does not allocate the minimum legal requirement of one vacancy per ethnic-racial segment. Another significant distortion presented in the study is the inclusion via Ordinance n. 9/2017 of the Black, Mixed-race, and Indigenous with Disabilities (PPI/PCD) segment drained vacancies from the PPI group by establishing a percentage of the local census of PCD within the vacancies intended for PPI. These erroneous applications disregard the fundamental and social right to education (Art. 6th, CF) by reducing the vacancies for specific segments in favor of another component; in this case, the correct approach would be to distribute more vacancies to the new feature.

The Unified Selection System (SISU) presents a rigid approach regarding the registration of quota candidates, as they are required to choose only one quota profile, preventing them from competing for other vacancies available for different quota and non-quota segments. For instance, a candidate from a public school, Black, with a disability, and low income, when choosing this profile, becomes unable to compete for vacancies intended for free payment or non-quota candidates. Initially, access should be universal, allowing the candidate to compete for all vacancies and narrowing the choice according to their profile in case they fail in the open competition. The lack of an affirmative policy that promotes an anti-racist culture and guides inclusive actions within the university environment can lead to tensions in implementing affirmative action policies.

### **Final considerations**

Through quantitative analyses, it has been observed that there were positive changes in the trajectories of Black quo graduates, particularly in the economic activities pursued, employment status, income, and social integration. These changes provided social mobility to Black shareholder students who entered the university through affirmative action quotas. The quantitative data analyzed in this research were reinforced by the perception of Black shareholders, who affirmed that the positive impacts on social mobility occurred through access to and completion of higher education.

Throughout the research, it was also noticed that the positive changes occurred differently between courses with higher and lower competition. However, all analyzed groups showed positive results, which justifies that the quota policy has contributed to differences in the trajectories of Black shareholder students. There was also mobility in performing activities in different categories of work, with various types of economic activities being pursued. Additionally, the continuation of studies after completing the course was analyzed, identifying mobility in the exercise of job categories, a decrease in informal work, an increase in formal employment, approval in public competitions, and entry into postgraduate courses such as master's and doctorate programs. However, it is essential to mention that statistical data from IBGE (2018) present a global reality of increasing inequality in the labor market between the Black and white populations.

The distortions in implementing Law 12.711/2012 are evident in the selection process notices of the college entrance exam and SISU. This highlights the constant need to monitor

and improve these affirmative action policies to achieve the legal imperative and their effectiveness fully. The tensions between inclusive views and preserving university space for most white people demand a new understanding of public universities. In this sense, the distribution of vacancies should be guided by including historically excluded individuals from these spaces of power.

In both studies, it is notable that despite the legislation encouraging inclusion in higher education and the job market, the Black population needs a deeper implementation of affirmative action policies that promote an anti-racist culture. This means promoting the appreciation of Black identity and significantly increasing the number of Black individuals occupying leadership positions in various spheres of power.

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