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Structural Racism: Racists without Racism in Liberal Institutions within Colorblind States

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Structural Racism: Racists without Racism in Liberal Institutions within Colorblind States

by

Alexis Nicole Mootoo

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
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Dedication

To the valiant New York City's and's Afro-Descendants who contributed to my study.

To my son Harrison who is my light and the love of my life.

To Dr. Harold and Mrs. Dixie Mootoo, mon Papa et ma Maman que j'adore et chéris, aujourd'hui et toujours!

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Abstract

Afro-Descendants suffer sustained discrimination and invisibility that is proliferated with policies that were once blatantly racist, but are now furtive. This study argues that structural racism is alive and well in liberal institutions such as publicly funded colleges and universities. Thus, structural racism is subtly replicated and reproduced within these institutions and by institutional agents who are Racist without Racism. This study builds on theories from Pierre Bourdieu, Frantz Fanon, Glen Loury and Eduardo Bonilla-Silva. The juxtaposition of their theoretical arguments provides a deeper insight into how structural racism becomes a de facto reflexive phenomenon in liberal and progressive institutions such as universities, which are heralded as the epitome of racism-free spaces in colorblind states.

Inspired by Lieberman's nested mixed methods approach, the study examines Afro-Descendants' sustained discrimination and invisibility in publicly funded universities in New York City and the City of São Paulo. The success of race-based affirmative action is examined quantitatively in New York City and the City of São Paulo. Semi-structured interviews are conducted with Afro-Descendant professors, students and administrators in New York City and the City of São Paulo's publicly funded liberal university systems. These interviews are conducted to (1) understand the respondents' experiences in their respective liberal spaces as racial minorities; and (2) determine whether they have benefited or been harmed by a public policy designed to ameliorate their inferior positions. Overall, findings from this study suggest that structural racism exists and persists in New York City and the City of São Paulo. Moreover,

Afro-Descendant participants in both cities acknowledge and experience structural racism within their respective liberal university systems.

Chapter 1 – Introduction

“We are living in a post-racial society.”
— and —
“Racism still occupies the throne of our nation.”
Dr. Martin Luther King, Jr.

Afro-Descendants in the Americas

“We are living in a post-racial society.”
— and —
“Racism still occupies the throne of our nation.”
Dr. Martin Luther King, Jr.

Structural racism is an important problem plaguing the United States and Brazil. Structural racism is a process with a historical continuum beginning when colonialism ruled both countries. In this study, structural racism goes beyond scholar Eduardo Bonilla-Silva’s (2010) argument in his text *Racism without Racists: Colorblind Racism & Racial Inequality in Contemporary America*, where he posits that racism exists without racists by contrasting institutionalized and personal racism. Hence, the study operationalizes structural racism as the process of institutionalizing and normalizing racism in a manner where racism is not attributed to any particular person, but acknowledges racists permeate institutions consistently claiming to be non-racist. Therefore, structural racism becomes normalized and institutionally expected.

This study relies on two scholars’ definitions of structural racism that explain the accumulation and incorporation of long-standing racialized common-sense practices into American and Brazilian social and economic structures over centuries. Structural racism is

evident throughout society and creates institutional barriers, which severely curtail the democratic rights and socio-economic opportunities of millions who are Afro-Descended. Over time, through systematic exploitation of subordinate classes, structural racism has become built into American and Brazilian societal and economic bases (Wilson 2015). Structural racism is not only about the institutionalization of racism. While not always obvious, structural racism permeates leadership, political organizations and other complex institutions (Marable 2001). It also empowers institutional leadership's common-sense¹ understanding of Black inferiority to inform their practices couched in liberal narratives (Hall 1979). In this way, racists can become embedded in institutions with the ability to shroud their racism.

Large dataset analyses can suggest that institutionalized racism exists, but verification, and in fact, true understanding of institutional racism's scope can only be done by asking those affected about their experiences within those institutions such as universities. Framing structural racism through verification shows that this study adds an unexplored section to the scholarship about race in the field of Political Science.

¹ Stuart Hall's Common Sense (1979):

"What passes for 'common sense' in our society – the residue of absolutely basic and commonly-agreed, consensual wisdoms – help us to classify out the world in simple but meaningful terms. Precisely, common sense does not require reasoning, argument, logic, thought: it is spontaneously available, thoroughly recognizable, widely shared. It feels indeed, as if it has always been there, the sedimented, bedrock wisdom of 'the race', a form of 'natural' wisdom, the content of which has changed hardly at all with time. However, common sense does have a content, and a history." (325)

"Contemporary forms of common sense are shot through with the debris and traces of previous, more developed ideological systems; and their reference point is to what passes, without exception, as the wisdom of our particular age and society, overcast with the glow of traditionalism. It is precisely its 'spontaneous' quality, its transparency, its 'naturalness', its refusal to be made to examine the premises on which it is founded, its resistance to change or to correction, its effect of instant recognition, and the closed circle in which it moves which makes common sense, at once and the same time, 'spontaneous', ideological and unconscious."(325)

The African Slave Trade along with various systems of colonization have been used to justify the social construction of race (Smedley and Smedley 2011), a construction informing society and supporting the development and existence of structural racism today. The institution of slavery can be traced to the beginning of civilization. Enslaving Black subjects became the necessary evil to maintain the bondage of millions of Africans, and created a culture of permanent servitude through colonization (Smedley and Smedley 2011). Black skin became the gateway to a legitimized subservient and lesser status. Slavery was common and economically necessary throughout the Americas; the United States and Brazil, the two largest nations in the Americas, are emblematic cases of this reality. Slavery played the most pivotal role with respect to the ‘race question’ and the national construction of racial identities (Fogel and Engerman 1989, Smedley and Smedley 2011). Over the centuries, the legacy of slavery has tainted both nations’ populations where American and Brazilian Afro-Descendants have become the arbitrary inferior “other,” a label remaining at present (Daniel 2006).

Dr. Martin Luther King, Jr. understood that his continued fight for African-Americans’ equality would not end the deep-seated racist ideology infiltrating the institutional structures responsible for the United States’ hegemony (Rana 2010). The role of race has shaped American economic and social institutions throughout history, triggering cumulative effects of racialization promoting race-based inequalities. A diametric racial system has ensued where the domination of Whites and the persistent oppression of Blacks have created a heightened level of structural racism and White supremacy (Rana 2010).

Esteemed Afro-Brazilian activist Abdias do Nascimento expressed similar concerns as Dr. King with respect to the detrimental racialization and inferior positionality of Afro-Brazilians

because of structural racism. To Nascimento, slavery informs Afro-Brazilians' current lower societal status:

The abolition of slavery did little or nothing to return the citizenship that the regime of chattel slavery stole from us along with our very humanity. On the contrary, the living conditions imposed on African Brazilians after the "Golden Law" of abolition stripped us of our citizenship for the second time. (Nascimento 1989)

Race in Brazil seems to follow a similar American racial dyad, albeit much more nuanced due to differences in racial identification. Structured racism seems to continue to be necessary for Brazil's economic and social institutions' success.

According to Joe Feagin (2012), racism is dynamic and ever changing. One of the critical aspects of racism is the accumulation and incorporation of long-standing racialized practices into American social and economic structures. Racialization shapes an institution and becomes embedded in the functioning of the institution. Racialization, pivotal to the development and survival of structural racism, is the process by which racial understandings are formed, re-formed and assigned to groups of people and social institutions and practices and to the consequences of such understandings (Feagin 2012). Thus, structural racism can occur without overt racist intentions; nevertheless, it produces disparities in socio-economic and educational outcomes by race. As long as the system appears to be operating 'normally,' many people (particularly the White population) do not perceive racism in the system and resist arguments signaling the existence of racial bias. And yet, racial disparities abound.

The election of Barack Obama as President of the United States popularized the phrase 'post-racial' (Lee and Bean 2012: 419) and led some to believe the United States was moving into a new era of racial understanding. Many believed electing a Black president signaled a time when the injustices of the past would somehow fade away, or would no longer be relevant in

American politics. However, despite the election of Barack Obama, and Black elected officials holding key offices for decades, the economic outcomes for low and moderate-income Afro-Descended communities remain stagnant (Lee and Bean 2012: 420). Structural racism is deeply entrenched in American society despite desegregation and the passage of civil rights laws designed to improve the social standing of minorities (Rana 2010, Marable 2001).

Structural racism in Brazil exists and persists solely based on its society remaining racially controversial: Afro-Brazilians' colonial legacy and the African Slave Trade have left an indelible mark on Brazil's Euro and Afro descendant populations. Racial inequalities exist among Brazilians with Whites at the top of the political, educational and socio-economic scale and Afro-Brazilians at the bottom (Skidmore 2008). Whereas the United States claims to be colorblind or in a post-racial state (Daniel 2006), Brazil has purported a national dogma of racial inclusiveness stemming from a racial democracy—a former governmental ideology claiming a racial narrative does not exist in Brazil, signifying societal, economic and educational equality for all citizens irrespective of color (Freyre 1986). Nevertheless, Brazil's Afro-Descendant community, the second largest in the world after Nigeria,² endures intense societal, socio-economic and political exclusion (Dávila 2014).

The unit of analysis in this study is structural racism.³ The historical systems of colonization promoting societies with a racialized order are often dismissed as affairs of the past, but in reality, evidence appears to suggest otherwise (Nascimento 1989, Smedley and Smedley

² National Policy Institute. 2013 Population statistics.
www.nationalpolicyinstitute.org/publications.php?b=population

³ My study was grounded in Political Science, and the levels of analysis utilized were individuals and the state. Both of these have a dearth of literature to support the methodology, theory and approaches to conduct my study (Waltz 1959, Lowi 1992). While there are similarities to theory in Social Science including units of analysis such as groups or social artifacts, fundamentally, these are not well suited for a study that is explicitly situated in Political Science research.

2011). Important nuances are associated with being an Afro-Descendant in both nations, particularly in Brazil where the issue of colorism has major implications (Hordge-Freeman 2015). However, irrespective of skin color, Afro-Descendants with light or dark skin are still stigmatized and marginalized because they are not White. Hence, the United States and Brazil remain colonial states in the twenty-first century with structural racism perpetuating a superior White and an inferior Black racial binary. Structural racism explains persistent disparities among groups and disproportionate socio-economic and educational levels of achievement in communities of color in the United States (U.S.) and Brazil. Structural racism in this study also explains how people of authority professing and expecting to be liberal within liberal spaces can be racist in their practices.

Liberalism, Public Policy and Structural Racism

Liberalism, a political theory and philosophy, has undergone a myriad of incarnations from traditional to modern realms. It is tantamount to the political theory coming from the 18th Century period of Enlightenment that stressed the importance of personal liberty, equality, opposition to political absolutism and arbitrariness and the application of freedom to specific situations and human interactions. This theoretical framework for liberalism has not been used for this project; rather, I have adopted the theory put forth by Duncan Bell, who states: “Liberalism, is best characterized as the sum of the arguments that have been classified as liberal, and recognized as such by other self-proclaimed liberals, over time and space” (Bell 2014: 684). This project examines how self-proclaimed liberals affect Afro-Descendants over time and in liberal spaces, and whether liberal policy can address issues of race and racism.

Examples of policies to address race and racism enacted by self-proclaimed liberals permeate society in the United States and Brazil. One well-known policy is affirmative action. In an attempt to mitigate the overwhelming preponderance of evidence for African-American and Brazilian exclusion from hiring opportunities, affirmative action was introduced to redress the historically overt discriminatory practices suffered by people of color (Kramer 2013). Both the United States and Brazil's political structures are entrenched in Bell's definition of liberalism, which "has become the metacategory of Western political discourse" (Bell 2014: 683). To that end, their common liberal, political and social histories have affected the educational philosophies and practices of both nations.

Education is believed to be the "great equalizer," providing the most effective tool for promoting national and economic development while mitigating poverty and racial inequality (Dávila 2003, Psacharopoulos 2006). Most countries offer some form of public education (though differences exist in the level available). The institution of education is often seen as an international human right, irrespective of race, gender, socio-economic position and class. As many countries come to recognize education as an institution with the ability to balance a public sphere marred with cultural, racial and socio-economic disparities, public policies are implemented to stimulate equal access to education, with the goal of overcoming those disparities (Aghion, Boustan, Hoxby, and Vandenbussche 2009).

Education, more specifically the university level, is quintessential to Bell's liberal spaces. The 1947 Truman Commission on Higher Education reveals the linkage between a liberal ideology and the responsibility cast over education.⁴ Moreover, connecting liberalism and

⁴ The Role of Education: It is a commonplace of the democratic faith that education is indispensable to the maintenance and growth of freedom of thought, faith, enterprise, and association. Thus the social role of education in a democratic society is at once to insure equal liberty and equal opportunity to differing individuals and groups, and to enable the citizens to understand, appraise, and redirect forces,

education, Aaron Cooley states “liberalism can provide a framework for the extension of certain opportunities—namely educational ones that allow individuals from historically marginalized positions to receive the full benefits of citizenship and political equality” (Cooley 2009: 11). Public colleges and universities nationwide implemented affirmative action policies to help minorities gain access to higher education in order to stimulate upward socio-economic mobility (Kramer 2013). The success or failure of affirmative action in higher education continues to be highly contested. Eleven states in the United States are currently using the courts to challenge this policy. They assert affirmative action laws privilege racial minority groups at the expense of other groups including the majority White group (Jones and Mukherjee 2010).

Brazil’s public policies often have mirrored those implemented in the United States, including affirmative action (Dávila 2003, Telles 2004). Affirmative action quotas were put in place in the Brazilian public sector as well as in federal and state universities in 2004 as a matter of choice. In October 2012, affirmative action quotas were adjudicated into law, forcing publicly funded Brazilian universities to diversify their campus demographics. These laws mandated that every admitted cohort must be comprised of 50% Afro and poor Brazilians (Kramer 2013: 373). In Brazil, much like in the United States, the controversy associated with affirmative action has taken many forms, including who qualifies as an Afro-Brazilian in the realm of *mestiçagem*. *Mestiçagem* is a key feature of race in Brazil, referring to biological and cultural blending, which has taken place among Euro, Afro and Indigenous populations (Wade 2010).

men, and events as these tend to strengthen or to weaken their liberties. In performing this role, education will necessarily vary its means and methods to fit the diversity of its constituency, but it will achieve its ends more successfully if its programs and policies grow out of and are relevant to the characteristics and needs of contemporary society. (Volume I: 5) Higher Education for American Democracy, A Report. n.p.: New York, Harper & Bros. [1948].

<http://babel.hathitrust.org/cgi/pt?id=mdp.39015001995664;view=1up;seq=23>

Although a study comparing the United States to Brazil can be debated, both countries share historical similarities, particularly with respect to their Afro-Descended constituents' shared ancestry in the African Slave Trade. According to Robert Fogel and Stanley Engerman (1989), sixty seven percent of all slaves brought to the Americas during the African Slave Trade era were ferried to Brazil and the United States. The fusion of race and nation compels us to compare how and why these two nations' Afro-Descendants continue to suffer sustained discrimination and invisibility proliferated with racism that was once blatant and is now furtive (Daniel 2006).

This study reveals that public policies enacted by liberal institutions may lead to short-term gains but do little to destabilize the racial order. Structural racism in both countries is a contemporary iteration of colonial racism of the past, and continues to be perpetuated despite public policies implemented to maintain a liberal dogma in liberal institutions. Further, in spite of race-based affirmative action policies, structural racism is reinforced in purportedly liberal spaces by self-proclaimed liberal and progressive minded agents (ex. professors and administrators) who are Racists without Racism. In contrast to Bonilla-Silva (2010), I assert liberal minded agents are racists, hiding under the guise that racism no longer exists. The juxtaposition of the theoretical arguments supporting this study provide insight into how structural racism becomes a reflexive phenomenon in liberal and progressive institutions, such as universities. These institutions of liberalism are believed to be the epitome of racism-free spaces in colorblind states. Affirmative action, a policy formulated to ensure liberal and progressive institutions (such as universities, which are supposed to embody the essence of racism-free spaces) is analyzed to demonstrate the current existence and insidious nature of structural racism.

This study examines how African-Americans and Afro-Brazilians generally compete in the market place in comparison to their White counterparts. American and Brazilian Afro-Descendant students, staff and administrators are surveyed regarding their status in liberal institutions in an effort to understand how affirmative action impacts American and Brazilian Afro-Descendant identities and feelings in the liberal spaces of higher education, thereby qualifying the study within a Critical Race Theory (CRT) framework. CRT, according to Derrick Bell (1992), “emphasizes the socially constructed nature of race and considers judicial conclusions to be based on inherently racist social assumptions. Essentially, CRT asserts racism is embedded in the legal and social structure of the United States” (Bell 1992: 43). Critical race theorists emphasize that storytelling and counter-story-telling by the affected group—Afro-Descendants-- are powerful tools to unpack the deep-seated racism in legal and social structures (Delgado and Stefancic 2012).

Concepts and Definitions

In this section, I review several of the major concepts that appear throughout the text.

Liberal Institutions

The 1947 Truman Commission on Higher Education defined state and federally funded institutions of higher education as liberal institutions. Those who work within these institutions are considered to be liberals and are presupposed to have liberal and progressive attitudes. Furthermore, according to Brian Barry (1990), a political scientist in the Department of Government at the London School of Economics and Political Science, liberal institutions fostering freedom of speech and religious worship, for example, will naturally be supported by

liberals—that is to say, those with a liberal outlook. For this study, liberal institutions are colleges and universities funded by states or the federal government, which are subject to the pre-supposed liberal and progressive attitudes shaping and sharing knowledge.

Afro-Descendants

Afro-Descended people are Americans and Brazilians with African ancestral roots tracing to the African Slave Trade. The demographic emphasis of this study rests on American and Brazilian Afro-Descendants—an American population marking “Black” or “African-American” on the American census, college/university applications and a Brazilian population identifying as “*pardo(a)*” and “*preto(a)*” on the Brazilian census and college/university applications. The interpretation of peoples’ ethnic and racial designation can be complicated. For this reason, the following criteria were implemented to clearly define the population:

- Respondents were citizens of their respective countries
- Respondents stated they identified as Afro-Descendant
- Respondents had familial ties within their respective countries and
- Respondents and their familial ties were not recent immigrants.

Choosing these designations supports participants’ ancestors’ Afro-Descendant roots in slavery. Both American and Brazil Afro-Descendants are more likely to have roots in the African slave trade than not. In some cases, the term Black is used to describe Afro-Descendants, particularly within reported census data and literature referring to Afro-Descendants as Black.

Americans and Brazilians

In this study, I call people from the United States “American” and people from Brazil “Brazilian.” This distinction is made with the understanding that Brazilians could be considered Americans due to Brazil’s geographic location.

Colorblind Nations

This study focuses on the post-racial or colorblind phase in United States history. Allegedly, the United States is no longer marred with the racism suffered by African-Americans and people of color post-Civil Rights movement (Wright 2004, Bonilla-Silva 2010, Tesler and Sears 2010, Alexander 2012, Omi and Winant 2015). It has been purported that since an African-American held the position of president and was elected for two terms, issues of White privilege and discrimination experienced by people of color no longer define American society. To that end, people of all races and ethnicities purportedly have the same access to education and are able to achieve equal socio-economic levels.

Brazil is also considered colorblind, as its democratic foundation is a racial democracy. According to Gilberto Freyre (1986), Brazil’s racial democracy signified equality for all citizens in a colorless society. Contrary to the United States, Brazil does not use race as an official point of demarcation in the Brazilian population, although skin color categories are listed as identifiers for census purposes. While Freyre’s racial democracy has come under scrutiny and was eventually debunked, its dogma is societally embedded. Though the United States and Brazil are considered colorblind, Afro-Descendants in both countries are the least likely to be educated, the least likely to have gainful employment, the most likely to be incarcerated and the most politically excluded due to structural racism.

Substantive Focus

This study comes at a critical time for Afro-Descendants in the United States and Brazil. In the last two decades, both quantitative and qualitative data have provided evidence that structural racism is active in the United States and Brazil, even when both are labeled colorblind. Historians, sociologists, anthropologists and political scientists offer a myriad of theories on the origins of racism and how it has continued to perpetuate. More alarming are current trends that suggest racism, structural racism specifically, is growing. The United States has experienced a resurgence of extreme racist rhetoric, irrespective of an African-American President's election and subsequent re-election. During this same period, Brazil aired its "dirty laundry" by allowing an international community to see thousands of poor and Afro-Brazilians evicted from their homes in order to build structures for the World Cup and the 32nd Olympiad of 2016. The scholarship on race validates the inequality suffered by Afro-descendants in both countries, yet scholars have not fully analyzed structural racism to demonstrate how liberal policies have perpetuated this inequality. In addition, liberal change agents consistently have promoted the deceptive nature of structural racism and the unintended consequence of permanently "othering" people of color, making them racist while claiming that racism no longer exists.

Public policies were the executioner of overt racism in years past. The same policies are used to colorblind race in order to perpetuate structural racism in an abstract manner in contemporary society. Individuals and communities are powerful instruments advancing structural racism. Public policies spun from decisions made by individuals in the highest courts meant to advance liberal ideals have had far greater influence than the literature discusses.

The United States originated quota-based affirmative action during the 1960s with the goal of rectifying Afro-Descendants' disparate educational, socio-economic and political

standings, compared to Whites. Over time, the policy evolved whereas quotas have been deemed unconstitutional. Today, the policy has become an institutional norm that is implemented in various ways. Nevertheless, the policy remains contested, as Afro-Descendants' positions seem to remain relatively stagnant (O'Reilly 1995). Fifty years after the United States effected affirmative action, Brazil implemented quota-based affirmative action with the same goal as originally posited in the U.S. However, Brazil's policy clearly articulates how many Afro-Descended people should be accounted for in public institutions, including publicly funded colleges and universities. The purpose of the policy is to promote greater educational and socio-economic inclusion for marginalized Brazilians tending to be Afro-Descendant and/or poor (Telles 2004). The policy is as contested in Brazil as it is in the United States, particularly in the field of higher education.

In this study, I examine how liberal institutions such as universities should be in place to guarantee the maintenance of liberal ideals through an educated citizenry. Instead, liberal institutions have become spaces fostering structural racism, exacted by people believing they are liberal but who are, in fact, functioning with common-sense racist beliefs. Publicly funded colleges and universities and their staff/students represent a crucial and important case for the study of structural racism in liberal institutional settings, even when they are assisted by liberal public policies like affirmative action. If agents and representatives of liberal institutions, such as college professors, reproduce racist practices, and if racist practices are perpetuated in liberal institutions like universities, then the study of the nuances of structural racism is indeed of continued importance, 'post racial' and 'color blind' societies notwithstanding.

This study's findings are relevant in three ways. First, this study goes beyond discussing the outcomes of affirmative action to critiquing the original purpose of the policy and

understanding how its colonial ties inform the policy's current success or failure in both countries. Second, the study illuminates how structural racism enables the most reportedly effective societal balancing tool of higher education to become counterintuitive, as it, in fact, maintains societal imbalances. Third, the study reveals how the study of structural racism must be further explicated to address how racist individuals' beliefs potentially inform their practices in liberal spaces, therefore perpetuating structural racism.

Research Questions and Unit of Analysis

The research questions guiding this study are:

- How do colonial legacies of racism inform current public policies designed to mitigate structural racism against Afro-Descendants in the United States and Brazil?
- How are contemporary public policies in Brazil and the U.S. that are aimed to eradicate racism constrained by structural racism?
- How successful are liberal policies at promoting the social mobility of Black professors, administrators and students?
- How has race-based affirmative action affected Afro-Descendants' experiences and perceptions of race and structural racism within liberal institutions such as publicly funded universities?

As stated earlier, structural racism is defined in this study as the accumulation and incorporation of long-standing racialized common-sense practices into American and Brazilian social and economic structures over centuries. The definition of structural racism in this study draws on two scholars. Carter Wilson's definition of structural racism posits its foundation in an "economic base such that the dominant mode of production, the organization of production, the

manner in which labor is exploited, and the way wealth is accumulated. As the economic base of racism changes, so does the form of racism” (Wilson 2015: 14).

According to Carter Wilson (2015), the structural dimension of racism evolved in two phases over distinct periods: dominative racism occurring until the abolition of slavery and aversive racism occurring from 1880 to 1970. Wilson’s first dominative phase of structural racism takes place when racial differentiation is created to enable the success of slavery, “based on society’s total direct domination and control of blacks” (Wilson 1996: 58). Thereafter, racial differentiation is constantly being re-created as the aversive phase of structural racism arises to serve a social and/or economic purpose through racial segregation. Features of aversive racism include “the exploitation of labor, the concentration of wealth in the hands of a few, extreme inequality, class conflict, periodic crisis, the creation of stratified labor forces, and a system that thrived with a reserve army of labor” (Wilson 1996: 170). This phenomenon results “in racially segmented and hierarchical labor markets” (Wilson 2015: 15). Racial differentiation is maintained through social, legal and political controls (i.e., slavery, Jim Crow laws, education, ghettoization, criminal justice system, use of the terms ‘law and order’ and restrictive immigration policies) (Alexander 2010). Wilson juxtaposes dominative and aversive racism to explain how racial differentiation substantiates a long-standing process of structured racism. Whether dominative or aversive, Wilson’s structural racism is demonstrable as institutional racism, particularly when examining socio-economic and educational disparities between Whites and Afro-Descendants.

Manning Marable states: “the fundamental problem for the viability of American democracy, therefore, may be the problem of what can be termed “structural racism”: whether the majority of American people, its leaders, political organizations and institutions, have the

capacity and vision to dismantle the complex structural barriers which severely curtail the democratic rights and socioeconomic opportunities of millions of their fellow citizens—who are African American...” (Marable 2001: 3). I deviate from Marable’s definition as I ascribe the dominant group as White or Euro-Descended instead of his “majority.” This change addresses structural racism both in the United States and Brazil from the perspective whereby institutionally embedded individuals who are change agents within institutions and have racist points of view can display their racist beliefs while claiming racism no longer exists. To understand and assess structural racism, I examine quantitative data vis-à-vis enrollment and degrees conferred in liberal public university systems and socio-economic data in New York City and the City of São Paulo. I also interview participants in liberal public university systems in both regions to affirm their understanding of structural racism.

Chapter Outlines

In chapter two, I survey literature relevant to American and Brazilian colonial legacies. I assert that racially motivated mechanisms in public policy ground a societal superior-White/inferior-Black racial binary, demonstrating Wilson’s dominative aspect of structural racism. I continue by showing how colonial legacies have become institutionalized with the assistance of present-day public policies in the United States and Brazil by way of aversive racism, the second dimension of Wilson’s structural racism. The analysis of the literature is organized chronologically, examining policies during three major historical time frames: (1) The colonial period through the abolition of slavery in both countries during the late nineteenth century; (2) the period from the end of the nineteenth century through the first half of the twentieth century; and (3) the period from the second half of the twentieth century through 2014.

The literature review begins with a brief overview of the topic of race and how structural racism has taken on a colorblind dimension in the United States and Brazil. The literature review continues with an examination of colonialism and its effects to illustrate how colonial policies have transformed into other forms of public policy that have institutionalized colonialism over the three historical periods previously mentioned. The substantive portion of the literature review focuses on an in-depth analysis of affirmative action policies in both countries, to reveal how structural racism survives, irrespective of a race-allaying public policy. I conclude chapter two with a discussion of the theoretical frameworks guiding the research study.

In chapter three, I discuss the methodology guiding my research. I detail the research design employed in my study, specifying why New York City, United States, and the City of São Paulo, Brazil, were chosen as research sites. I argue for the benefit of mixing quantitative and qualitative methods. I explain the methodology for the collection of the data utilized in my research. I conclude the chapter with a discussion regarding the limitations of the study, and I address my personal politics and ethical responsibility while conducting this study.

In chapter four, I present my quantitative findings in an effort to operationalize the institutional component of my definition of structural racism. Following Emma Smith's 2008 *Secondary Data in Educational and Social Research methodology*, I conduct a quantitative review of secondary data from two American and two Brazilian government sponsored data repositories: The Integrated Postsecondary Education Data System (IPEDS), the American Community Survey (ACS), the *Instituto Brasileiro de Geografia e Estatística* (IBGE) and the *Fundação Universitária para o Vestibular* (FUVEST) from 2004 through 2014. Using IPEDS, I compare the enrollment rates of African-Americans to Whites in four-year publicly funded universities in New York City. I continue by examining data from the ACS survey to compare

types of positions acquired and unemployment rates for African-Americans and Whites during the same period. Using FUVEST, I examine Afro-Brazilian enrollment rates in publicly state funded universities in the City of São Paulo. I follow with investigating socio-indicator variables in the IBGE data set for like periods as the one studied in the United States to show how well Afro-Brazilians are faring socio-economically and educationally. I conclude chapter four with a discourse that demonstrates race-based affirmative action in publicly funded universities in colorblind states appears to yield higher rates of college enrollment and graduation for Afro-Descendants. However, Afro-Descendants are not competing in the market place, even when they are attending college, which only alludes to institutional racism—a part of structural racism—being in play.

Chapter five explains how qualitative research in this study demonstrates structural racism not being exacted by any particular person but reveals how racists pervading liberal publicly funded universities claim to be non-racist. The chapter discusses H. Russell Bernard's (1995) semi-structured qualitative research method to analyze and record in-depth interviews conducted with Afro-Descendant faculty, staff and students in publicly funded universities in the cities of New York and São Paulo. I recount respondents' feelings of alienation and discrimination in response to institutional leadership, as they maneuver university spaces purporting to be liberal. I continue chapter five by discussing how the participants share their feelings on how they are viewed in their respective universities and society due to structural racism, considering how policies are in place to purportedly mitigate their disparate societal rankings. I conclude chapter five with a discussion regarding agency and resistance to the colonial ties that bind the participants in structural racism.

I conclude my research by assessing affirmative action as a double-edged sword benefitting Afro-Descendants in present day society yet not allowing them to progress due to their racial status, a phenomenon resembling colonial legacies and practices. I analyze how institutions in states with colonial histories have maintained a colonial order in the implementation of public policies designed to eradicate the terrible effects of the African-Slave trade yet that, in fact, continue to “other” the Afro-Descended bodies they are supposed to support. Furthermore, I deconstruct the insidious nature of structural racism by exposing how individuals in positions of authority who profess to be liberal but are racist contribute to the structurally racist underpinnings of their liberal spaces. I close my research with a call to the Academy to challenge institutions of higher learning to take action to promote racial equality, by acknowledging the existence of structural racism in Brazil and the United States and exposing Racists who exhort Racism to while touting to be liberal in what I call, liberal colonialism.

Chapter 2 – Literature Review

Literature Review

This chapter surveys the relevant literature documenting American and Brazilian colonial legacies as the mechanisms grounding the societal superior White/inferior Black racial binary. The binary has become institutionalized through present-day public policies fostering structural racism in the United States and Brazil. The literature review is organized chronologically, discussing policies during the following three major periods: the colonial period through the abolition of slavery in both countries; the period from the end of the nineteenth century through the first half of the 20th century and the period from the second half of the 20th century through 2014. Examining the continuum of policies over these three periods shows the similarities in reasoning and purpose of policies addressing the issue of race over time. Moreover, charting policies over this time period shows how structural racism becomes an institutionalized phenomenon with racist agents contesting their racist beliefs as they make racist decisions.

The literature review begins with a brief overview of race and how racism has assumed a colorblind dimension in the United States and Brazil. Second, the literature review examines colonialism and its impacts, specifically noting the way in which colonial policies transformed into other forms of public policy institutionalizing colonialism and establishing structural racism over the first two historical periods previously mentioned. Third, a substantive portion of the literature review focuses on how affirmative action, a public policy legislated to mitigate racial disparity takes on a colorblind lens, thwarting its original purpose and reinforcing structural

racism. Fourth, I discuss the theoretical frameworks used to provide the foundation for this study. The literature review concludes with a discussion regarding the existing gap in political science scholarship regarding colonialism and colonial legacies. Included in this discussion is an examination of how these legacies correlate with policies currently in place to mitigate racial disparity and structural racism experienced by today's Afro-Descendants in self-proclaimed liberal and colorblind spaces within the United States and Brazil.

Race and Racism in America and Brazil: A Brief Overview

Race and racism in the United States and Brazil have garnered attention over the centuries from issues surrounding slavery to the purported status of the United States as a post-racial state and Brazil as a racial democracy today. Scholarship in multiple disciplines has analyzed race and racism from various ideological and methodological perspectives asserting that both race and racism are socially constructed (Smedley and Smedley 2011, Feagin and Sykes 1994, Bonilla-Silva 2010, Omi and Winant 1994). However, other scholars have suggested race and racism are political constructs shrouding notions of a purportedly post-racial America and a racially democratic Brazil (Hanchard 1994). Whether racism is socially or politically constructed, the evidence is clear; American and Brazilian Afro-Descendants seem permanently fixed on the bottom rung of both societies from every vantage point.

Race is a modern idea with no biological basis (Smedley and Smedley 2011, Feagin and Sykes 1994). The scholarship reports racism developed during three historical periods. The first period arose between 1624 and 1815 while the other two periods occurred during the 19th and early 20th centuries (Smedley and Smedley 1991). Smedley and Smedley state the root of racism is “the cultural structuring of a racial worldview that coincides with the colonial expansion of

certain western European nations during the past five centuries. During this period, western Europeans began encountering populations of people very different from themselves, and created their own form of slavery” (Smedley and Smedley 1991: 13).

Structural, cultural and economic forces underpin the idea of race and racism (Feagin and Sykes 1994, Wilson 2009, Bonilla-Silva 2010, Omi and Winant 1994). Julius Wilson (2009) describes two types of structural forces, social acts and social processes. These structural forces contribute directly to racial group outcomes, such as differences in poverty and employment rates. Social acts refer to the behavior of individuals within society where an individual or group exercises power over others through specific acts. These acts include stereotyping, stigmatization, and discrimination in hiring, job promotions, housing, and admission to educational institutions. Alternatively, social processes refer to the machinery of society existing to promote ongoing relations among members of the larger group. Social processes “contribute directly to racial group outcomes including laws, policies, and institutional practices that exclude people on the basis of race or ethnicity” (Wilson 2009: 4). Wilson suggests structural forces inform liberal race scholars’ theoretical frameworks to analyze racism and racial inequality, with the hopes of finding solutions to mitigate racially based disparity. The literature on race focuses predominantly on structural forces—public policies vis-à-vis racial inequality in education and racial, and non-racial factors impacting income and unemployment inequality—conservative or liberal attitudes notwithstanding.

In the literature, cultural forces more commonly explain racist practices in society. Feagin and Sykes (1994) ascribe the idea of racial identification being understood and digested at first sight by way of physical features and perceived behaviors, which then determines how people will be treated; the treatment transforms into social norms. The consequence is race becomes

central to self-understanding or understanding others, creating cultural and racial myths and stereotypes relating to intelligence, athletic ability, sexuality, criminality, etc.

The literature also explains race and racism through economic factors, relying on a Marxist framework. Karl Marx and Friedrich Engels indirectly acknowledged the significance of racial and ethnic relations in the development of capitalistic societies, in considering the issue of the division within the working class and nationally oppressed groups (Solomos and Back 1996). Solomos and Back relied on the work of Stuart Hall and Howard Winant to question how racism functions with the structural features of capitalism. Hall (1978) and Winant (1994) conclude race and racism are sufficiently under-theorized to make a Marxist argument vis-à-vis race and further analysis is required.

The scholarship previously mentioned applies to race relations in the United States and beyond. In Brazil, the most famous race argument is between Florestan Fernandes and Gilberto Freyre. Florestan Fernandes, a University of São Paulo scholar, asserts racially based inequality was a reality in Brazil; he applies Marxist reasoning to support his perspective. In contrast, prominent Brazilian scholar Gilberto Freyre purports Brazil is a racial democracy with a racially mixed population that does not consider race and does not have the bifurcated Black/White 'race problem of the United States (Graham 1990, Telles 1994, Skidmore 2010). Whether in the United States or in Brazil, race and racism are assigned to all of the above mentioned arguments by multiple scholars, irrespective of the discipline. They all mention colonialism in their arguments but none formally ties colonial policy to the perpetuation of racial disparity today.

Colonialism: The Good, The Bad and The Ugly!

The scholarly dialogue regarding colonialism, its conceptual meaning, and its ideological effects can lead a reader in many different directions, depending upon the academic discipline. In the literary world, colonialism takes a romantic or sordid journey, depicting the relationships between colonizers and their colonized subjects (Stoler 2002). For example, Frederick Cooper (2005) integrates a collection of essays regarding colonialism in the world, from a multidisciplinary perspective. On the other hand, historians often categorize colonialism as the “White Man’s Burden,” or the process that civilized the savages (Kipling 1998). Much of the social sciences scholarship uses colonialism and colonial processes as the backdrop for explaining race and forms of racism, in order to expound upon the meaning of “others” (Said 1978, Blackburn 1988, Skidmore 2010).

This study focuses on colonialism’s influence on institutions and public policies in Brazil and the United States during their colonial periods and beyond. To that end, finding scholarship regarding colonialism in the field of political science is pivotal but difficult. I rely on geographer Ronald Horvath’s definition, which purports that colonialism “is the domination or the control of individuals or groups over the territory and/or behavior of other individuals or groups. In addition, colonialism has been seen as a form of exploitation with an emphasis on economic variables” (Horvath 1972: 46). The concepts of domination and power are at the core of colonialism. Horvath advises that conceptualizing colonialism requires an examination of domination and power since both are central to colonialism’s ultimate goals and economic objectives. Frantz Fanon’s (1961, 1952) and Albert Memmi’s (1957) iconic discussions emerge with respect to the effects of French subjugators on colonially subjugated Algerians and Tunisians. Both authors’ scholarship is situated in psychoanalysis.

For Frantz Fanon (1961, 1952), a Black Martiniquais, colonization creates a divided world catering to two different species, the colonizer and the colonized (Fanon 1952: 30). This divide establishes structural violence and special boundaries emerge promoting discrimination against the colonized becoming foreigners in their own land (Fanon (1961: 187). Fanon specializes in the compartmentalization of the colonial city after successfully liberating from colonial powers. Fanon argues there is “a commercial notion inherited from the colonial period” becoming central to the new country’s economy (Fanon 1961: 187). Fanon’s structural violence concept refers to an international capitalist system created where a mercenary global system of exploitation forces billions of people into poverty. Structural violence prevails when colonized Blackness becomes imbedded in the minds of the people forced into poverty driven by a Manichean dualism⁵ whereby Whiteness is superior and Blackness is inferior.

Colonized Blackness is the application of a psychoanalytic theory where the colonized Black subject loses his cultural origin and embraces the culture of the colonizer. The colonizer’s culture becomes imbued in the psyche of the Black subject, engendering a profound complex structure of inferiority, materializing through the appropriation of the colonizer’s culture. Fanon posits the Manichean scheme produces colonized Blackness, which can be reversed when the colonized subject employs the colonizer’s original tactics to implement structural violence, such as seeking liberation from its colonizer using physical or psychic violence.

Albert Memmi (1957), a Jewish Tunisian, argues the inevitability of colonialism’s collapse by way of the colonized peoples’ revolt. Memmi evokes psychoanalysis to demonstrate colonialism establishing two distinctive categories of colonizers and colonized. Memmi’s

⁵ Frantz Fanon refers to the colonial world as a Manichaeon world with a White colonist, black colonized dualism. The colonist represents the evolved European and the colonizer is the barbarian colored person (Fanon 1961: 6)

deterministic approach illustrates a “man is a product of his objective situation” (Memmi 1957: xvi), which sets the stage for a new paradigm to emerge where the colonial context influences psychological responses of both colonizer and colonized subjects.

Fanon and Memmi’s theses, both informed by their personal experiences as colonized subjects, establish colonizers’ inherent role as exploitative, brutal oppressors, beginning when they overtake colonies and their people for economic gain, as the colonized become a source of free labor. To Fanon and Memmi, economic gain fundamentally drives colonialism’s *raison d’être*, which is why the colonized must be exploited and oppressed. An important aspect of Fanon and Memmi’s hypotheses is coloniality’s reliance on institutions and social rules sanctioning colonizers’ oppressive behaviors towards colonized subjects. Their theses also affirms Wilson’s hypothesis of greed driving the economic base of the dominative dimension of structural racism as opposed to racial animus. Wilson states:

“the drive of plantation owners to make money and accumulate wealth led to the construction of slavery. The organization of the Southern plantation system formed the economic base of a brutal and sadistic form of racism. Once the institution of slavery was established, plantation owners defined African Americans as fundamentally different from other people, as biologically inferior and subhuman.” (Wilson 2015: 14)

The United States and Brazil – From Colonies through the Abolition of Slavery

Much of the scholarship about race and racism in the Americas, irrespective of academic discipline, exposes the historical and contemporary plight of Afro-Descendants with a historical overview of how and why the Atlantic Slave Trade developed in the colonial context. The literature correlates the Atlantic Slave Trade to colonialism and colonial legacies, as these are important variables ultimately informing how the institution of slavery deeply affected the bodies

and minds of Black people in bondage. The literature does not speak to structural racism during this period, however, Wilson's dominative dimension of structural racism fits during the periods discussed further.

British colonization of the United States began in 1607 with the invasion of Jamestown, Virginia (Woolley 2008: 224). Brazil's first official Portuguese settlements took place in São Vicente and Pernambuco in the 1530s (Skidmore 2010: 17). Relying on historians' scholarship, the following is a discussion of the United States and Brazil from their inception as colonies to the abolition of slavery, focusing on the colonial policies institutionalizing the notion that Whites—colonizers are at the top, and Blacks—colonized are at the bottom of the societal and economic scale.

The United States – The Land of the Free and the Colonized

The scholarship on the colonization of the United States is vast. Historians such as Charles McLean Andrews (1934), George Louis Beer (1912), Herbert Levi Osgood (1958), and Lawrence Henry Gipson (2011) explore the colonization of the United States from its institutional ties to the British Empire, to concentrating on single/multiple states and places, to peoples and periods.

When it comes to slavery, the literature on colonialism and the racialization of American society and its institutions is not as ample. Winthrop Jordan (1968) discusses the attitudes of European Americans and Whites from England about how Blacks were perceived, and the impact of chattel slavery in American society and its economic viability. Jordan's scholarship deliberates on the idea of the White man's burden stemming from slavery, and the colonization process of Blacks. Ira Berlin, another iconic historian, tracks the trajectory of slavery and its

subjects for 200 years in *Many Thousands Gone: The First Two Centuries of Slavery in North America* (1998).⁶

Paul Finkelman (1998) hypothesizes that colonial policies set the stage for the protection of the institution of slavery by the framers of the United States Constitution. Finkelman's second thesis regards the definition of slavery in Supreme Court jurisprudence. Finkelman shows the word "slavery" was memorialized in the 1865 13th Amendment of the U.S. Constitution abolishing the institution. Finkelman illustrates the transition from law to policy to explain how the Black body became constitutionally three fifths of a person, impeding slaves' opportunity to be considered equal to Whites before the 13th amendment was ratified. In Finkelman's case and in much of the literature regarding the subject, once the United States was formed, the idea that colonization influences policy and law after the abolition of slavery is not easily discernable.

American Historian Kenneth O'Reilly (1995) charts the history of American racial politics since the British invasion and colonization of the New World through the 20th century. In that text, the reasoning for the institutionalization of slavery is pivotal to the economic gain of America's forefathers. O'Reilly makes similar arguments with respect to the entrenchment of Black slaves' inferiority in the Constitution of the United States. However, O'Reilly posits a deeper argument by proposing Presidents Lincoln, Jefferson, and Monroe's solution to the "negro problem" was to send Black slaves back to Africa as a colonization project. O'Reilly relies on presidential arguments about the colonization and expatriation of Blacks to show they

⁶ Allain, Jean. 2012. *The Legal Understanding of Slavery: From the Historical to the Contemporary* / edited by Jean Allain. n.p.: Oxford, U.K.: Oxford University Press. Chapter 6.

continued to be marginalized through the 20th century, based on the priorities of American executive leadership inspired by the myth of the Southern Strategy.⁷

A historical event to consider is the 1858 *Dred Scott v. Sanford* landmark Supreme Court case establishing that no Afro-Descendant could claim American citizenship (O'Reilly 1995; Finkelman 1998). The case challenged every loophole slaves and abolitionists found to allow Blacks' engagement as valid members of American society. According to Ryan Williams (2012) and other scholars, Supreme Court Judge Roger Taney, who authored the final opinion in the case, stated:

It is difficult at this day to realize the state of public opinion in regard to that unfortunate race which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted; but the public history of every European nation displays it in a manner too plain to be mistaken. They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations, and so far unfit that they had no rights which the white man was bound to respect. (Williams 2013: 510)⁸

⁷ The basic "Southern Strategy" myth, popularized by Kevin Phillips in the early 1970s is: under LBJ's leadership, Democrats nobly and self-sacrificingly supported civil rights during Stage Four of the movement, giving an opening to opportunistic Republicans to crack the Democratic Solid South; following the support given by voters in some Deep South states to Goldwater in 1964, Nixon (formerly a supporter of civil rights) developed a "Southern Strategy" to use coded appeals to southern whites, enabling him to win the 1968 election, and everything the GOP has accomplished since 1968 is tainted by a continuous reliance on that same strategy to keep white southerners in the fold. http://www.redstate.com/dan_mclaughlin/2012/07/11/the-southern-strategy-myth-and-the-lost-majority/

⁸ Williams, Ryan C.1. 2013. "Originalism and the Other Desegregation Decision." *Virginia Law Review* 99, no. 3: 493-600.

Historians report after a lengthy and bloody Civil War beginning in 1861⁹ (O'Reilly 1995; Finkelman 1998), the Confederates, who were proponents of slavery and the status of Blacks as property, lost after a series of constitutional policies. Examples are the First and Second Confiscation Acts of 1861 and 1862ⁱ and the 1863 Emancipation Proclamation decreed by President Lincoln representing the foremost intersection between public policy and the race question:

... by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons. (National Archives – www.archives.gov)

Albeit the 13th Amendment of the Constitution of the United States, which passed in 1865,ⁱⁱ abolished the insidious institution of slavery, Charles Mills posited “a category crystallized over time in European thought to represent entities who are humanoid but not fully human (“savages,” “barbarians”), and who are identified as such by being members of the general set of nonwhite races” (Mills 1997: 23). This was an idea of the past as enlightened and liberal thought had prevailed. Subsequent periods show the Negro problem persisted, liberal and enlightened thought notwithstanding.

⁹ The Civil War is the central event in America's historical consciousness. While the Revolution of 1776-1783 created the United States, the Civil War of 1861-1865 determined what kind of nation it would be. The war resolved two fundamental questions left unresolved by the revolution: whether the United States was to be a dissolvable confederation of sovereign states or an indivisible nation with a sovereign national government; and whether this nation, born of a declaration that all men were created with an equal right to liberty, would continue to exist as the largest slaveholding country in the world. <http://www.civilwar.org/education/history/civil-war-overview/overview.html?referrer=https://www.google.com/>

Brazil – The Land of the Elite and the “Others”

The literature on the colonization of Brazil is another vast academic project. The focus in the literature for the period in question is the sociology of race and slave/master relationships, to show how Brazil aimed to be viewed differently than the neighboring United States regarding the institution of slavery. Stuart Schwartz (1985) describes the microcosmic social relations developing between Whites and slaves, Black and Indian, on sugar plantations. João Capistrano de Abreu (1997) reviews the history of colonial Brazil from 1500 through the 1800s, from the perspective of settlement and economy in the interior. Anthropologist Gilberto Freyre's (1986) text is the seminal exposé of Brazilian society. He is considered the most renowned Brazilian academic of the 20th century. Freyre focuses primarily on the relationships between White colonizers and Black and Indian colonized subjects to demonstrate a Brazilian racial homogeneity and tolerant attitude towards Black subjects.

Historian Thomas Skidmore (2010) synthesizes centuries of Brazilian history to understand Brazil's coloniality. The author explains after a long fought battle with Spain, France and the Netherlands, the Portuguese colonized Brazil. Mercantilism was the international economic policy du jour whereas exports of brazilwood, the wood coining the name of the colony, and sugarcane to mother Portugal enabled Brazil to be economically self-sufficient (Skidmore 2010: 19). As in the nearby United States, Portuguese colonizers relied on African slaves who were forced into becoming a needed and cheap labor force.

Unlike in the United States, royals and their designees from Portugal settled in Brazil once the new land proved not only economically self-sustaining but supporting its colonizing mother with its rich exports of coffee, gold, and beef (Graham 1990, Skidmore 2010). African slaves were part of the Portuguese demographic landscape since their dealings with the Moors in

previous periods; therefore, Brazilian colonizers were more interested in the incoming population following Christian dictates than the color of peoples' skin during the 17th century. Brazil was a place with free colored people and African slaves (Graham 1990, Skidmore 2010).

The landscape of the Brazilian population changed with the emergence of *pardos* (brown) people by way of miscegenation between colonizing Whites and their aboriginal Indian and African Black colonized subjects. In some cases, mulattoes (racially mixed people) could be free and actively took part in society, particularly if their skin was light. Brazilian culture became influenced by an amalgamation of Catholic traditions from the Portuguese monarch, its royal delegation and White colonizers, some folk aspects of the indigenous, and more importantly, African religious and epicurean customs (Freyre 1986, Skidmore 2010).

As Brazil “browned” demographically and culturally, and thrived with its crops and gold economies, an interesting political structure emerged with the intersection of regional purportedly representative politics and monarchial authority, as charted by Richard Graham (1990). According to Historian Caio Prado Júnior, colony or empire notwithstanding, “landowners or merchants formed the dominant class” (Graham 1990: 4). A system of patronage catering to those landowners and monarchial appointees who became Brazil’s elites, underpinned Brazil’s national and regional political wheel. The system of patronage proliferated the idea of social control by way of moral dictate to perpetuate patronage, cementing elites’ economic, political and social power (Graham 1990: 5).

The first Brazilian constitution installed in 1824 took a liberal tone with Emperor Pedro I describing the document as “twice as liberal as the assembly’s version” (Graham 1990: 48). Britain’s political liberalism inspired Brazilian elite, jurist, landowner, and constitutional drafter José Bonifácio de Andrada e Silva (Graham 1990: 48). While stirred by liberal thought and

making no racial distinction, the constitution gave voting rights to all Brazilian citizens who owned land and could demonstrate the ability to generate income, excluding slaves and women, without citing both groups. Servants, a class with the ability to raise income through wages and who were, by and large, Black, had the right to vote, so a provision was made to exclude the class of *criados de servir* (servants) (Graham 1990: 103).

The sensitivity regarding the institution of slavery remained an issue of morality and utility. Sociologist Florestan Fernandes (1971) asserted racially based inequality was a reality in Brazil by applying a Marxist reasoning to support his perspective. Fernandes emphasized race as a principal driver for Brazilian political, economic, educational and social success or failure. Being an Afro-Descendant presupposed being inferior. Fernandez stated racism resulted in a socio-economic stratification caused by a premature and uninformed push for an industrialized, capitalistic society.

By 1830, Brazil's slave economy was the largest in the world, but keeping this status became increasingly more difficult for three reasons: the first was the majority of slaves brought over were male, significantly reducing the birth rate of slaves; the second reason was the terrible conditions slaves endured, reducing their birth and increasing mortality rates; the third reason was slave masters were apt to free their slaves because they could rely on incoming cargos of new slaves (Skidmore 2010).

Gilberto Freyre's reports about the institution of slavery greatly differed from Skidmore's reports. Freyre affirmed slaves and their masters enjoyed a positive relationship, explaining how African culture became a pivotal part of Brazilian society (Freyre 1986). Freyre's arguments

shaped the basis for the nation's label as a Racial Democracy.¹⁰ *The Eusebio de Queiroz* law of 1850 passed by the Brazilian Parliament outlawed slavery. While the law was passed due to external pressure from the British, it was not followed. Instead, conciliation, or compromise, was a pivotal tool used by masters to appease slaves because slavery's free labor was pivotal to Brazil's economy.

The literature explains how the matter of miscegenation between slaves and slave owners complicated Brazilian societal order as slave mistresses educated themselves about their mixed race children's rights (Andrews 1991, Graham 1990, Skidmore 2010, Telles 1994). These Afro-Descended women, whose children were fathered by White men, learned to negotiate their positions, as they understood their children facilitated their masters' continued economic wealth as a source of free labor. After heavy pressure from slave women on their masters, the 1871 "Law of the Free Womb" was legislated and passed, which emancipated all children born of slave mothers. While the law seemed like a significant step forward for Afro-Descended women and their children, the children were required to serve their mothers' owners until they turned 21 with the law decreed the children be born free.

The Law of the Free Womb was unsatisfactory to abolitionists inspired by British intellectuality and enlightenment, who castigated the institution of slavery as a contradiction to liberal principles. The Sexagenarian Law was passed in 1885 freeing slaves who had reached the age of 60. Setting the age of 60 to free slaves was superfluous as most African slaves did not live

¹⁰ See Souza (2000: 136): "Gilberto was supposed to have been the inventor of the concept of 'racial democracy', which acted as the main impediment to the construction of racial awareness by blacks." For an interpretation of the genesis of the idea (not the term) "racial democracy" in Gilberto Freyre, see Elide Rugai Bastos (2001).

that long (Skidmore 1990: 75). But it was a compromise between the Liberals and Conservatives in Parliament who had been at odds over the morality and utility of slavery (Graham 1990: 174).

Between Brazil's elite and Parliament finally conceding to Western European abolitionist and enlightened ideas of slavery's immorality and the concept of human equality, with continued external pressure from the British and slaves revolting and demanding their freedom regularly, Princess Isabel signed the Golden Law on May 13, 1888. The law emancipated all slaves immediately and without being compensated for their years of service (Skidmore 2010: 75).

American and Brazilian Post-Abolition Periods

The Trans-Atlantic Slave Trade Database reports more than 12 million Africans were brought as slaves to the United States, South America and the Caribbean during through the Middle Passage. Forty percent of them disembarked in Brazil while almost three percent disembarked in the United States.¹¹ According to some social sciences scholarship, the institution of slavery was a necessary evil to facilitate the economic strength for both countries (Graham 1990, O'Reilly 1995). Until abolition, the status of slaves was understood: property and obviously unequal to their masters. The predicament of the 1865 American and 1888 Brazilian emancipation of slaves became center stage due to the continued necessity for cheap labor.

The colonial precedent of inferiority was institutionalized when Africans and their descendants were slaves, and became the precursor to structural racism infused in society. The academy illustrates the idea of separating humans by race to enforce the idea of White superiority and Black inferiority. This idea became a priority for policy makers and elites in a new realm of perceived equality as prescribed by the abolition of slavery, rooted in liberalism.

¹¹ Trans-Atlantic Slave Trade – www.slavevoyages.org

The dehumanization of persons deemed “black” and/or a slave descendant was asserted to reinforce the dominant racial hierarchy. After abolition, both countries implemented policies that would further solidify the subjugated status of Blacks with the goal of preserving the racial order. Wilson’s (2015) dominative and assertive dimensions of structural racism crystallize during this period, linking institutionalized colonialism by way of racial bifurcation to structural racism.

The United States – Segregation and Second Class Citizenry

The 13th Amendment reportedly freed four million Afro-Descended slaves to become American citizens.¹² Social science literature on the First Reconstruction Era, the period after the Civil War until 1877, is vast. There are many accounts of how Blacks began to thrive with the efforts of abolitionists, both White and Black. Nonetheless, the separation of Blacks from rich and poor Whites sustained, particularly in the South. C. Vann Woodward (2001) argues southern Whites frenziedly tried to maintain the divided racial order facilitating their wealth building.

The issue of the abolition of slavery was not just about economics but had moral implications (O’Reilly 1995, Foner 2015, Woodward 2001). The explanation regarding the economic argument was clear. Free labor, the prerequisite for high yields of financial return in crop economies, was no longer a viable option. Enlightened men and abolitionists had demonstrated the immorality and brutality of the institution of slavery by pushing for the 14th Constitutional Amendment,ⁱⁱⁱ a Reconstruction amendment asserting notions of liberalism through citizenship and protection under the law.

¹² Woodward, C. Vann. 2002. *The Strange Career of Jim Crow*. Oxford University Press.

According to Eric Foner, while colonization asserted White supremacy, the 13th Amendment threatened to erode White privilege. The courts and legislation were sure ways to re-establish White supremacy. Black Codes and Supreme Court decisions restored colonial White privilege and White supremacy (Foner 2015; Woodard 2001). As a result, the continuum of colonial racial division formed with Black Codes and Jim Crow laws, two of the most racist systems in American history after the abolition of slavery. Both Black Codes and Jim Crow Laws were conceptual in title but practical in action (O'Reilly 1995, Foner 2015, Woodard 2001).

In accordance with the 13th Amendment, Republicans and Northern elites who were Black sympathizers and proponents of liberalism understood that further policy was needed to protect the rights of Black freedmen and freed slaves. Some of them had become active members in government and others had accumulated some wealth. The Civil Rights Act of 1866^{iv} served as the apparatus purportedly guaranteeing the rights of all citizens, irrespective of race. Instead, the Civil Rights Act of 1866 incited Southern politicians and lawmakers to retaliate (O'Reilly 1996, Foner 2015, Woodard 2001).

Black Codes, laws enacted pursuant to the ratification of the 13th amendment, served as retaliatory measures. These laws differed from state to state with oxymoronic goals. They were originally intended to legalize particular civil liberties, such as interracial marriage, labor protection and owning property, during the Reconstruction period (Foner 2015, Woodard 2001). Depending on the state and particularly in southern states, Black Code laws legitimized racial division, such as separate spaces and services for Blacks and Whites, but more importantly, they

established restrictions on labor for Blacks, resembling colonial indentured servant agreements¹³ (Edwards 2015).

Black Code laws became the underpinning of American legal colorblind dogma beginning by legally separating Blacks from Whites, much like in colonial times, and transcended in contemporaneous public policies perpetuating the colonial racism of former times. Michelle Alexander (2012) states “while some of these codes were intended to establish systems of peonage resembling slavery, others foreshadowed Jim Crow Laws by prohibiting, among other things, interracial seating in the first-class sections of railroad cars and by segregating schools” (Alexander 2012: 28).

Jim Crow Laws were directly separatist and racist with an end goal of complete racial segregation. The Jim Crow terminology was born from minstrelsy¹⁴ rather than case law. Over time, Jim Crow Laws—by and large exercised in the South where the largest population of Blacks resided before the Great Migration of the early 1900s occurred—sanctioned Whites’ public lynching and other physical brutalities against Blacks who did not adhere to racially separatist laws (Foner 2015, Woodard 2001). The more Blacks exercised their rights as newly freed citizens, the more oppressive and narrow Jim Crow laws became. State judicial systems

¹³ Edwards, Laura F. 2015. *A Legal History of the Civil War and Reconstruction: A Nation of Rights*. New York: Cambridge University Press.

¹⁴ The term "Jim Crow," as a way of characterizing black people, had its origins in minstrelsy in the early nineteenth century. Thomas "Daddy" Rice, a white minstrel, popularized the term. Using burnt cork to blacken his face, attired in the ill-fitting, tattered garment of a beggar, and grinning broadly, Rice imitated the dancing, singing, and demeanor generally ascribed to Negro character. Calling it "Jump Jim Crow," he based the number on a routine he had seen performed in 1828 by an elderly and crippled Louisville stableman belonging to a Mr. Crow. How a dance created by a black stableman and imitated by a white man for the amusement of white audiences would become synonymous with a system designed by whites to segregate the races is less clear. Abolitionist newspapers employed the term in the 1840s to describe separate railroad cars for blacks and whites in the North. But by the 1890s, "Jim Crow" took on additional force and meaning to denote the subordination and separation of black people in the South, much of it codified and much of it still enforced by custom, habit, and violence. Litwack, Leon F. 2004. "Jim Crow Blues." *OAH Magazine of History* 18, no. 2: 7-58.

memorialized the idea of racial segregation by way of Jim Crow Laws (O'Reilly 1996, Foner 2015, Woodard 2001). As stated by Alexander (2012), Jim Crow laws triggered mass incarceration of Blacks and were the dawn of today's extraordinary rates of African-Americans' incarceration.

The 1896 *Plessy v. Ferguson* landmark Supreme Court case represented the culmination of legislated segregation. According to Alexander (2012), "in *Plessy v. Ferguson*, the Court established the doctrine of "separate but equal"—a legal fiction protecting the Jim Crow system from judicial scrutiny for racial bias" (Alexander 2012: 194). Separate but equal was congruent with democracy and equality in theory but not in practice. In reality, separate but equal was a disguise to keep Blacks separated from Whites under the guise of equal spaces, institutions and resources. In addition, the case affirmed the "One Drop Rule"¹⁵ becoming embedded as common knowledge in law, giving the judicial system all opportunities to disenfranchise, discriminate, imprison and subjugate Black bodies. While further amendments were ratified to secure civil liberties for Afro-Descendants, this group remained on the lowest rung of American society.

Social sciences literature in multiple fields provides various historical scenarios to explain the condition of Afro-Descendants and demonstrate race as a social construct. Some scholars examine different events and document how Blacks were treated from the Reconstruction Era until the 1960s Civil Rights Movement. Leon Litwack (1980, 1988, 2009) has multiple and important projects on the plight of Blacks after the abolition of slavery. Litwack

¹⁵ The one-drop rule originated in the southern United States before the Civil War (1861–1865) but had not been rigidly conceptualized, and a few black-white mixed-race individuals (who physically appeared white) were accepted as white by the dominant white culture. White attitudes became more rigid at the time of the Civil War, and the one-drop rule became strictly enforced and largely accepted throughout the United States. Davis, James. 2005. *Who Is Black? One Nation's Definition*. 10th anniversary ed. University Park: Pennsylvania State University Press.

offers comprehensive accounts of Black life through slavery and thereafter, and provides an impressionistic approach in describing how Blacks navigated Jim Crow discrimination until the Civil Rights Movement of the 1960s.

The major theme in all of the literature mentioned above is race and racism developing over time. The literature explains how Afro and slave descendants came to occupy the bottom of the socio-economic ladder, are the least educated and do not participate in any political realm. However, the literature does not discuss how dominative structural racism drives why Afro and slave descendants are kept at the bottom of society. Constitutional ethics and law literature deconstructing legal cases during the period in question reveal how judgments have swayed social and cultural landscapes to legitimize the inferiority of some groups and the superiority of others. However, the literature does not show how colonial policies directly relate to the judicial cases having secured the inferiority of Blacks due to structural racism being in play.

Brazil – *Branqueamento* Will “Improve the Race”

Social sciences literature of the period delves extensively into the topic of the 1888 abolition of slavery in Brazil, posing similar problems as the emancipation of slaves in the United States, albeit the countries arrived at the same point by different means. The literature shows while a war was fought over slavery in the United States, and even though numerous Brazilian slave revolts occurred, Brazil transitioned into an empire the year after the abolition of slavery without major incident. Nevertheless, newly freed slaves needed work and elites who were plantation owners needed a labor force to keep the Brazilian economic wheel rolling.

The tension about the status of Afro-Brazilians between abolitionists/liberals and conservative politicians could be felt from regional to federal government since the population

had experienced a browning effect through miscegenation resulting in a number of free mulattos¹⁶ (*pardos*) (Graham 1990, Hanchard 1994, Skidmore 2010, Telles 1994). Brazil aimed to compete internationally with its exports and discovered the nation required innovation to replace the free slave labor force. Elites, who were by and large White, began traveling to North America and Europe to get educated. In the meantime, the biological argument to explain why Blacks were inferior had become impossible to argue as too many Afro-Brazilians had demonstrated their intelligence and strength (Graham 1990). In addition, too many *pardos* were genetically tied to elites through childbirth and marriage. Elites understood there was a race problem, but they could not segregate society like in the United States (Hanchard 1994, Telles 2004, Graham 1990, Skidmore 2010).

Gilberto Freyre, one of the most elite members of the Brazilian intelligentsia and a member of government, emanated the *democracia racial* (racial democracy) dogma, effervescing among Brazilian elites and politicians nationwide. Freyre argued Brazil had not experienced a racial divide in Brazil's post slavery society. Freyre's thesis sought to counteract the international perception of a degenerate Brazilian population due to its high numbers of Afro-Descendants. Freyre's argument was integral to Brazil avoiding how the race problem occurring in the United States was being handled with segregation (Sheriff 2001). Bernd Reiter (2009) describes how Eugenics science played an instrumental role in whitening the population, a principle called *branqueamento*. Ultimately, the classification of people in groups based on their ability to be good citizens—Whites— and uncivilized or criminal—Non-Whites—became and remained a driving and problematic force behind the inequality between the groups in today's

¹⁶ Mulattos are people with mixed racial backgrounds due to miscegenation. Miscegenation is footnoted earlier.

Brazilian society. In this instance, tying orchestrated biological whitening as resembling policies maintaining a colonial order before emancipation would strengthen the author's argument.

The solution was to whiten the population through immigration (Graham 1990, Hanchard 1994, Reiter 2009, Skidmore 2010, Telles 2004). The scholarship cursorily discusses the Immigration Decree of 1890 (Hanchard 2004) or 1891 (Skidmore 1990, 1993a, 2010). The decree seems to be the same but is assigned a different date depending on the scholar. The literature explains in detail how the immigration decree handled immigrants from Japan and China. Yet the premise of the decree to advance a whiter Brazilian population was crucial as the decree language is found in the Law of 1907 and the 1934 Constitution, Act 121, section 6: "the entry of immigrants into the national territory will be subject to the restrictions necessary to guarantee the ethnic integration and the physical and legal capacity of the immigrant; the immigrant's arrival from any country however cannot exceed an annual rate greater than 2% of the total number of that nationality resident in Brazil during the preceding 50 years" (Skidmore 1990: 25). The 50-year caveat seemed to have targeted and restricted Afro-Descendants' entry into Brazil and advantaged Whiter immigrants.

Skidmore's (1990, 1993a, 2010) census research between 1872 and 1910 on immigration trends and racial make-up of those coming to Brazil is the information most other Brazil scholars rely upon to argue a government sponsored whitening of society occurring. Very much like colonial policy, the immigration decree and the law restricted the idea of equal citizenship irrespective of race, which affected any persons coming from African countries or who had an African ancestral background.

The political correctness of colorblindness formally began in Brazil during its shift from a colony to a republic. Race was not openly articulated but discrimination by country of origin

was an opportunity to whiten the population, by encouraging Europeans' entry while discouraging Black, Brown and Yellow entry. *Democracia racial* was the governmental apparatus facilitating this colorblind process: The blackness from slavery was embraced with a multi-colored population due to miscegenation supposedly debunking the idea of race as a problem. However, Brazil's 1929 National Eugenics Congress, also sponsored by the Federal Government and the Brazilian Intelligentsia, actively propagated a message of Black inferiority with pseudo-scientific Western European principles (Sheriff 2001, Skidmore 1990, 1993a, 2010). In the meantime, free Afro-Brazilians were the poorest, most oppressed group much like when they were slaves. The difference was a new Brazilian republic deemed them free and equal to their Euro-Descended counterparts. Economic and educational factors precluded Afro-Descended Brazilians from fully participating in society with voting requirements such as owning property or being able to read. According to the Intelligentsia, White immigrants would dilute the tainted Black blood of the Brazilian population, with the hopes of eradicating Blacks from Brazil (Graham 1990, Skidmore 2010). The literature addresses the sociological intricacies of Brazilian society and its "Black problem" but does not sufficiently address the policy implications spearheading Brazil remaining in a colonial status, irrespective of its political shift to a republic.

Dominative and Aversive Racisms Makes for Structural Racism

Post abolition until the middle of the 20th century, the United States and Brazil undergo a critical shift theoretically and conceptually. Both nations recognize the institution of slavery's immorality and insidious nature, yet both nations' reliance on free or cheap labor is paramount to their economic success. While both nations attempt to humanize Afro-Descendants with court

rulings relying on constitutional amendments and policy, these nations actively or passively establish Whites as dominant and Afro-Descendants as inferior. Marable's idea of structural racism creating obstacles to the economic development, educational and social advancement of Afro-Descendants who are living in deeply flawed and often hypocritical democracies rings true. This period crystallizes structural racism with the shift from Wilson's dominative racism of obvious domination of Afro-Descendants to aversive racism where Afro-Descendants are exploited by the White concentration of wealth.

Opposition Overcomes Oppression: A New Public Policy to the Rescue

The mid twentieth century period changed the landscape of race relations in the United States and Brazil forever. Times had changed after slavery but not by much. Afro-Descendants remained the least educated, the poorest and the least likely to accumulate any form of wealth. African-Americans galvanized against segregation by way of marches, and bringing charges against state and federal laws violating their civil liberties under the American Constitution. This happened through coalescing with organizations (including schools, churches, and businesses) they had created. On the other hand, Afro-Brazilians coalesced and attended international conferences to debunk the idea that all Black and Brown Brazilians co-existed harmoniously with White Brazilians. Their rights were systematically violated, yet the courts would not enforce constitutional dictates for citizen equality.

The social science literature regarding the American Civil Rights Movements of the 1960s and the Brazilian Black Movement is expansive. Yet, some theses remain unexplored. Above and beyond the civil rights' and constitutional acts passing to eradicate the inequality between White and Black Americans and Brazilians, policies needed to be passed. Structural

racism had been embedded in society and needed to be dismantled. Affirmative action was the policy du jour.

The United States – The Dawn of Colorblindness

Black Codes and Jim Crow Laws tainted the conception of American liberal democracy. Separate but equal was an obvious lie, and Black and White Americans alike openly defied institutional and legally sanctioned bigotry. A number of civil rights acts were passed, in 1865, 1866, 1875, 1957 and 1964, in response to court cases demonstrating separate but equal was unsustainable and unconstitutional. The most iconic case of discrimination setting the stage for future colorblind dogma was the 1954 *Brown v. Board of Education* Supreme Court case, ruling the integration of Black and White students in public schools¹⁷ (Finkelman 1998; Foner 2015; O'Reilly 1995; Woodard 2001).

¹⁷ The U.S. Supreme Court decision in *Brown v. Board of Education* (1954) is one of the most pivotal opinions ever rendered by that body. This landmark decision highlights the U.S. Supreme Court's role in affecting changes in national and social policy. Often when people think of the case, they remember a little girl whose parents sued so that she could attend an all-white school in her neighborhood. In reality, the story of *Brown v. Board of Education* is far more complex.

In December, 1952, the U.S. Supreme Court had on its docket cases from Kansas, Delaware, the District of Columbia, South Carolina, and Virginia, all of which challenged the constitutionality of racial segregation in public schools. The U.S. Supreme Court had consolidated these five cases under one name, *Oliver Brown et al. v. the Board of Education of Topeka*. One of the justices later explained that the U.S. Supreme Court felt it was better to have representative cases from different parts of the country. They decided to put *Brown* first "so that the whole question would not smack of being a purely Southern one." (For more information on each of the five cases, click on the highlighted state's name above.) This collection of cases was the culmination of years of legal groundwork laid by the National Association for the Advancement of Colored People (NAACP) in its work to end segregation. None of the cases would have been possible without individuals who were courageous enough to take a stand against the segregated system. <https://www.nps.gov/brvb/learn/historyculture/index.htm>

Affirmative Action: The Euphemism for Separate but Equal

According to Audrey and Brian Smedley (2011) and other scholars, although the 1954 *Brown v. Board of Education* case ended the separate but equal legal standard, President John F. Kennedy reacted to pressures from Civil Rights Movement activists and signed executive order 10925 on March 6, 1961.¹⁸ The order facilitated African-Americans' ability to compete for federally funded government contracts. President Kennedy coined "affirmative action" in the order as a solution to redress historical discrimination against Blacks (O'Reilly 1995; Katznelson 2005; Kellough 2006). Kennedy's assassination thwarted any further development of the policy.

As a follow up, President Johnson signed Executive Order 11246 in 1965 (O'Reilly 1996; Katznelson 2005; Kellough 2006), an order mandating affirmative action in the form of racial quotas applied to federally funded institutions. The executive order promoted greater inclusion with respect to hiring for Blacks in the public sector, including publicly funded colleges and universities (Kellough 2006).

Author Ira Katznelson (2005) is central to this literature review. Katznelson argues national government interventions were designed with the deliberate intent to favor Whites' interests using ostensibly colorblind language to satisfy powerful Dixiecrats'¹⁹ doctrine of

¹⁸ (the) contractor will not discriminate against any employee or applicant for employment because of race, creed, color or national origin. The contractor will take affirmative action to ensure that all applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the requirements of this nondiscrimination clause (emphasis added). (Kellough 2006: 30)

¹⁹ The Dixiecrats were a political party organized in the summer of 1948 by conservative white southern Democrats committed to states' rights and the maintenance of segregation and opposed to federal intervention into race, and to a lesser degree, labor relations. The Dixiecrats, formally known as the States' Rights Democratic Party, were disturbed by their region's declining influence within the national Democratic Party. The roots of the Dixiecrat revolt lay in opposition to the New Deal policies, particularly

separatism and racial discrimination. Katznelson posits affirmative action did not begin with Presidents Kennedy and Johnson's executive orders of the 1960s, but with New Deal policies of the 1930s and 1940s. For example, social security and minimum wage, social welfare policies purportedly implemented for all citizens, excluding domestic and agricultural workers, who were most likely to be Black and live in the southern states.

While President Kennedy coined the idiom "Affirmative Action" as a tool for social equity in a manner that did not specifically "call out" the dominant group as racist, Lyndon Johnson, his successor, pushed the policy and its respective goal. As Texas senator, Johnson had an appreciation for the plight suffered by Blacks in the United States:

You do not wipe away the scars of centuries by saying: Now you are free to go where you want, and do as you desire, and choose the leaders as you please. You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and say, "you are free to compete with all the others," and still justly believe that you have been completely fair. Thus, it is not enough but to open the gates of opportunity. All our citizens must have the ability to walk through those gates."

(Katznelson 2005: 20)

Nevertheless, Senator Johnson grasped that affirmative action had been a 'White' enterprise during and directly after the New Deal era (Katznelson 2005). Southern democrats,

the pro-labor reforms introduced by the Fair Labor Standards Act and the Wagner Act. The more immediate impetus for the movement, however, included President Harry Truman's civil rights program, introduced in February 1948; the civil rights plank in the national Democratic Party's 1948 presidential platform; and the unprecedented political mobilization of southern blacks in the wake of the U.S. Supreme Court decision in *Smith v. Allwright* in 1944. In this Texas case, the Court ruled the white primary law violated the Fifteenth Amendment and was therefore unconstitutional. The states of the Upper South acquiesced in the ruling, but the decision was a political bombshell in the Deep South. White legislators across the region sought ways to circumvent the ruling, and African Americans organized voter-registration campaigns. Across the South, more than a half million African Americans registered to vote in the 1946 Democratic Party primaries. The Dixiecrat movement was strongest in southern states with large African American populations. <http://www.encyclopediaofalabama.org/article/h-1477>

who were pro-segregationists irrespective of a national Democratic Party seeking equality in the spirit of a liberal tradition, used state level administration of laws to maintain a social order subordinating Blacks and privileging Whites. Johnson knew Blacks were never going to be considered equal to Whites in the eye of the political elite who had run the nation since its inception (Katznelson 2005). During one of his political addresses as Vice President, Johnson said: “Until justice is blind to color, until education is unaware of race, until opportunity is unconcerned with the color of men's skins, emancipation will be a proclamation but not a fact.”²⁰

As he ascended as president and realized the civil unrest occurring due to Blacks seeking equality and justice, President Johnson understood and spoke about the evil of slavery and its lasting legacy on the marginalized blacks. By 1965, President Johnson was fully committed to formalizing public policy to ‘give a leg up’ to Blacks in the United States. During his 1965 Howard University Commencement Address, Johnson affirmed:

The Negro, like these others, will have to rely mostly upon his own efforts. But he just cannot do it alone. For they did not have the heritage of centuries to overcome, and they did not have the cultural tradition which had been twisted and battered by endless years of hatred and hopelessness, nor were they excluded—these others—because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society (Katznelson 2005: 178)

To Katznelson, Lyndon Johnson’s views about race transitioned from Dixiecrat inspired separatism to deeming affirmative action as a reparation policy specifically addressing the issue of colonial legacy, marring Blacks’ ability to realize upward mobility. Katznelson shows how affirmative action serving as a preferential or positive discrimination policy privileging Blacks to

²⁰ Speech – Lyndon Johnson. 1963 Memorial Day Gettysburg address
www.lbjlib.utexas.edu/johnson/archives.hom/speeches.hom/630530.asp

redress past discriminatory practices was discredited by Supreme Court rulings restricting the policy's utility and purpose.

The 1978 *Regents of the University of California v. Bakke* decision officially changed affirmative action from a race-based policy to a colorblind diversity initiative. The Supreme Court ruled the University of California had the right to deny Bakke's admission into medical school for affirmative action's sake, yet deemed racial quotas unconstitutional. As many cases have made it to the Supreme Court since the 1978 Bakke case, some distinct arguments about the validity and/or usefulness of affirmative action have ensued.

A Sundry of Arguments For or Against American Affirmative Action

Katznelson's contention debunks the fundamental reverse discrimination debate with respect to affirmative action. The most common scholarly argument regarding affirmative action centers around the true purpose of this policy, whether it was meant to be a form of reparation for historically wronged minorities or rather, to promote diversity. Edley (1996) outlines and evaluates three central visions of American race relations: colorblindness, moral equal opportunity, and diversity or inclusion.

Those who advocate for a true colorblind scheme typically argue in favor of vigorous anti-discrimination enforcement and against various forms of affirmative action. Preferential programs such as affirmative action could be justified under this vision only where clear evidence of racial discrimination leads to clear, obvious disadvantage. Edley claims a strict colorblind scheme after generations of color-conscious discrimination cannot portray a neutral position. Although colorblindness seems to boast the advantage of leaving the merit system intact, the system remains influenced by wide ranging subjective factors. A pure colorblind

vision profoundly undervalues the damage inflicted upon African-Americans over time. A colorblind vision allows remedial action only where outright discrimination has caused clear and documented injury to a specifically defined individual or group of individuals.

In addition, a colorblind vision stresses morally equal opportunity, allowing a far greater range of remedies. Since the goal would be to create real 'equal opportunity,' there would be no reason to seek out and meet impossible burdens of proof in demonstrating direct injury and assigning guilt to a specific act of racism or discrimination. Instead, society should be willing to view race and the burdens coming with race as a central reality in American history, a history, which has left African-Americans unable to compete. Mere elimination of discrimination would never alleviate the environmental, inherited, psychological, economic, and social challenges faced by contemporary African-Americans. This vision merely asks society to decide, "which negative endowments, which disadvantages, or handicaps must be remedied in order to give us the moral satisfaction of knowing that opportunity is genuinely equal," (Edley 1998: 117).

Edley maintains the most tenable vision of America supporting affirmative action policies in some situations is the value of diversity, or as he prefers, "inclusion." He argues liberals in the past have been too quick to rely on a diversity/inclusion justification with little, if any, explanation. He explains since all forms of affirmative action have a moral cost, it is vital to illuminate explicitly why inclusion is a moral and social good. Edley's point of view is valid but relies on the topic of diversity too widely, giving the policy and law makers the opportunity to distort his argument. American society has always been diverse. The fact remains diversity has not afforded the equality promised to all American citizens, particularly African-Americans.

Robert Ibarra (2001) posits that irrespective of the position taken with respect to affirmative action, the culture of higher education and its admissions' criteria are reframed to

promote a unique theoretical construct of an academically diverse culture. Ibarra posits diverse culture as embracing more current research, teaching and learning in higher education. Ibarra states "analysis of and explanation for a new paradigm for education that is emerging from the synergy of ethnicity and academic culture" (Ibarra 2001: 5) will redefine diversity as a contemporary phenomenon, which cannot be overlooked. Again, diversity is at the center of the affirmative action argument and overshadows the exigency of African-Americans inability to rise up to Whites' success.

William Bowen and Derek Bok (1998), two important scholars on the topic, present a similar thesis with respect to college and university admissions and the importance of the inclusion of minorities in selective institutions of higher learning through affirmative action. Statistical data support Bowen and Bok's position of African-Americans admission in selective colleges and universities under affirmative action compete against their white counterparts and acclimate well to college environments where they are the minority. Bok and Bowen's research findings demonstrate African-American students completed college at a similar rate than White students, succeeded in society after graduating from college and became highly productive members of society, giving back to their alma maters and participating in civic organizations, affirmative action notwithstanding.

According to the authors, not only did African-Americans benefit from affirmative action, so did White students who experienced minority groups' cultures, an exposure spilling over into their lives after graduation. White students indicated they stopped their exclusionary practices against minorities. Affirmative action brings about diversity creating an open exchange of ideas in a liberal environment. Here again, Bowen and Bok not only focus on diversity, but they also complicate the affirmative action argument further: they suggest African-Americans

are 'worthy' and competitive but do not question why Whites have the right to evaluate Blacks' place in the educational sphere. The scholarship regarding the validity of affirmative action as a tool addressing the need to redress the historical vestiges of slavery fails to correlate how colonial policy and current policy resemble by attributing obvious and veiled features of inferiority to Blacks in the United States.

If Not Affirmative Action, What Else Is There?

William Tierney (1997) argues for the importance and merit of affirmative action in public postsecondary education. He highlights the policy's successes and failures and argues an academic community in a democratic society must uphold its commitment to the basic principles surrounding affirmative action. He cautions the policy requires a reconfiguration since legal arguments distort the policy's original meaning.

Martha Augoustinos, Keith Tuffin, and Danielle Every (2005) illustrate the need for racially based affirmative action. The authors address the danger of meritocracy and individualism coercing minorities into believing they should be able to compete in higher education, even in circumstances where their legacies as minorities impede their ability to strive for success like their white counterparts. Without affirmative action, White superiority and privilege are reproduced while minorities remain in positions of inferiority. The authors' point to the racial binary created during the colonial era, however, never make the correlation between colonialism and the current superior White/inferior Black binary.

Actual Beneficiaries of Affirmative Action

It has been reported Blacks are not necessarily benefitting from affirmative action as President Johnson may have wanted. Current cases which have gone to the Supreme Court suggest mostly White women have benefitted from the policy. Kennedy's original executive order specified race and ethnicity as the basis for affirmative action. Later, women and the disabled were added as minority groups. Over time, statistics have shown women have benefitted from affirmative action in the workplace at a higher rate than African-Americans. Rates of African-Americans admission into college, having greater access to varied employment opportunities and earning higher wages have risen but not proportionately to the rates of Whites in the same categories.

Jennifer Eberhardt and Susan Fiske (2011) theorize perceptions of affirmative action are overwhelmingly negative in part because group membership is more salient for the powerless (targets of affirmative action) than for the powerful (beneficiaries of the status quo). Second, they suggest race differs significantly from gender as a stereotypic category, which results in race-based affirmative action being more threatening than gender-based affirmative action. Third, Black and female recipients of affirmative action view the program differently. Gertrude Ezorsky's (1991) makes similar arguments. For Ezorsky, "the primary importance of affirmative action lies in its effectiveness as a remedy for institutional racism, by which race-neutral policies and practices can lead to the exclusion of blacks" (Ezorsky 1996: 2).

The literature shows how the policy shifting from race based to colorblind manages to privilege a dominant group and suppress a minority group. However, the literature does not make the connection between why the minority group is African-Americans and the dominant group is

White, gender gap notwithstanding. A focus on the colonial legacy of the United States and the formation of a racial binary could explicate the phenomena posited by the authors.

The Truth about Racial Democracy in Brazil

Brazil's 1964 transition from two republic iterations to a military dictatorship restricting civil liberties for most citizens elicited scholarly discussions on a national level about the status of the country and its constituents. Members of Brazil's intelligentsia, like scholars Gilberto Freyre and Florestan Fernandes, were instrumental to the nation's institutions and policy making (Hanchard 1994; Skidmore 2010; Telles 2004; Winant 1994).

Marcos Maio (1999) examines Brazilian government's reliance on the United Nations Educational, Scientific and Cultural Organization's research findings to validate the nation's purported racial democracy ideology after World War II. According to Maio, the study found Brazil's racial relations were not negative, but concluded the status of Afro-Brazilians required further analysis as "the project developed into a more complex way, resulting in a more complicated perspective on the Brazilian racial scenario" (Heringer and Johnson, III 2015: 4).

Afro-Brazilians Galvanize!

Much like in the United States, governmental suppression of civil liberties, including political engagement and freedom of expression, elicited an onslaught of Black activism in Brazil (Hanchard 1994; Skidmore 2010; Winant 1994). Members of the *Movimento Negro Unificado* (MNU), the leading Black Brazilian activist group, understood Afro-Descendants were underrepresented in all public institutions. Their activism was instrumental in the addition

of affirmative action language in the 1988 Constitution, the constitution officially shifting Brazil from military to democratic rule (Guimarães 2002; Pereira 2013).

The debate about Brazil's racial democracy was officially debunked during the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, when Black mobilization intersected with public statements from the *Instituto de Pesquisa Econômica Aplicada* (IPEA) advocating for racial quotas in public universities to promote Black student enrollment (Silva and Pereira 2013). Brazil was officially "outed" to the international community as a nation needing to address its racial problem, precipitating the implementation of affirmative action (Heringer and Ferreira 2009 and Jodas and Kwagami 2011).

According to João Feres Júnior, Verônica Toste and Luiz Augusta Campos (2015), affirmative action in Brazil started in the workplace in 2001 with President Henrique Cardoso mandating the Brazilian Ministry of Agrarian Development to set aside 20% of its jobs for Afro-Brazilians (*pardos & pretos*). In 2003, President Luis Inácio "Lula" da Silva created the Special Secretariat for the Promotion of Racial Equality (SEPPIR) with the objective to promulgate racially balancing policies.

During the same year, the state of Rio de Janeiro paved the way for Brazil's affirmative action in higher education by implementing quota laws: Rio's two state universities reserved 50% of their enrollment slots for students graduating from public high schools and 40% for Afro-Brazilians. Students fitting both criteria qualified for either or both quotas (Júnior, Toste and Campos 2015). In 2005, Lula established ProUni—University for All Program—designed to extend affirmative action to all universities, including privately funded ones. According to Lula, affirmative action was the most effective way to provide some form of reparation for Afro-Brazilians, who more often than not represented the socio-economically poor Brazilian

population. The policy was to facilitate their access to higher education, the instrument leading the group's improved socio-economic conditions: "We are merely paying a debt that goes back 500 years" (Lloyd 2015: 173).

Controversy and debate surrounded Brazilian affirmative action quotas much like in the U.S. By 2008, affirmative action quotas committed 20% of entering classes to non-White and poor Brazilians in many publicly funded universities in a number of Brazilian states. Some universities implemented the 20% affirmative action plan, but elitism remained in play. Elites decided who would be considered minority or Afro-Brazilians and would be accepted into this governmentally sanctioned ploy of patronage. It is important to clarify no criteria is in place to formally decide who is considered non-White (Telles 2013).

What Is an Afro-Brazilian?

Self-designation, physical features and skin color are the subjective measures of Blackness and Afro-descent in Brazil. An important case where identical twins applied to a federal university as non-White students to take advantage of the affirmative action plan became a tremendous embarrassment for the country, as one twin was accepted as non-White while the other was not (Lifson 2011). A symbiotic relationship exists between the *vestibular* (competitive college entrance exam) and affirmative action. Non-White students still need to perform well on the *vestibular* to be considered in the affirmative action plan. The *vestibular* remains an impediment even though a law was passed requiring federal universities to admit 50% of its entering class as non-White. Afro-Descendants still need to score well on the entrance exam, but do not have the resources or support to do so. A new standardized ENEM national college entrance exam was created in 2008 as the *vestibular* has been critiqued, but universities have

been reticent to use this new exam.²¹ The literature exposing the fluid nuances of Blackness vis-à-vis affirmative action in higher education should explore the parallel with colonial policy dilemmas regarding the status of Blacks in Brazil due to miscegenation.

Brazil's *Lei de Cotas para o Ensino Superior* (Quota Law for Higher Education)

April 2012, replicating the American controversial fate of affirmative action being debated in the highest court in the land, Brazil's Supreme Court found the University of Brasília could use racial quotas as a constitutional mechanism to admit non-White candidates into state and federally sponsored universities. The arguments used in the U.S. *Bakke v. University of California* case echoed in Brazil's Supreme Court decision. Justice Ricardo Lewandowski stated “quotas specifically listed the benefits of establishing a diverse academic community at the university level and overcoming historical stigmas of racial discrimination to achieve a more equal and contemporary society” (Kramer 2013). October 2012, President Dilma Rousseff ratified The Law of Social Quotas,²² perhaps the most comprehensive affirmative action/quota program requiring all federally funded universities to reserve 50% of each entering class for non-White and poor Brazilians graduating from public high schools (Campos-Oliven 2012). Legalizing affirmative action has not been effortless as the policy's mission to address racial inequality is as controversial in Brazil as it is in the United States.

²¹ ENEM exam. <http://riotimesonline.com/brazil-news/front-page/enem-exam-highlights-education-in-brazil/>.

²² CONSTITUÇÃO FEDERAL [C.F.] [CONSTITUTION] art. 207 (Braz.) (The Law of Social Quotas does not address the degree of administrative freedom that state universities may enjoy under the Constitution. But the law does limit federal universities' autonomy by stating that a federal school: (1) may adopt specific or supplementary affirmative action policies; (2) develop specific quotas for native indigents; (3) create a system of general classification consistent with a quota program; and that (4) any institution that adopts different selective procedures must adhere to a quota system in each type of selective procedure.); see also *infra* Section IV(C)(1).

Afro-Descendant Brazilians Deserve Affirmative Action

Luando Sito (2013) seeks to contribute to the literature constructing an overview of race and affirmative action in Brazil and other regions of Latin America. He cites affirmative action policies are "public policies to correct a history of inequalities and disadvantages suffered by a racial group (or ethnic) generally before a national state that discriminated negatively," (Carvalho 2004: 51) pursuant to nations converging at the 2001 Durban World Conference Against Racism in the ratified Durban Action Plan. Brazil signed the action plan and implemented affirmative action quota plans in 2004. Therefore, according to Sito, the policy started as redress for Afro-Brazilians.

However, Sito finds addressing the issues of race alone with respect to affirmative action upset political elites, so the discussion transitioned to a policy addressing the socio-economic imbalance of Brazilian's society. Affirmative action needed to address the needs of the underclass, not Afro-Brazilians alone. Data clearly demonstrates Afro-Brazilians are the poorest in society, suggesting the needy as opposed to Afro-Brazilians should benefit from affirmative action allowing dominant racial groups to profit. Sito finds the politicization of affirmative action in Brazil has derailed the policy's original intent, as White elites with colonial heritages prefer to colorblind the policy rather than to admit structural racism remains imbedded in society with vestiges of colonialism.

Their Issue is that they Are Poor, Not that they are Black!

Some scholarship problematizes the idea that socio-economic standing is in play with respect to affirmative action as opposed to racial background. Research performed by Renato Pedrosa, Norberto Dachs, Rafael Maia and Cibele Andrade (2007) shows the socio-economically

disadvantaged enrollees through affirmative action at the State University of Campinas performed better academically and experienced a higher rate of graduation than students who were more affluent. The study refers to poor versus rich students, not taking racial designation into consideration. Nevertheless, scholar Lilia Tavoraro (2008) brings the argument back to the discourse of race, firmly asserting affirmative action policies are inevitable processes disclosing Brazil's actual yet hidden racial plurality and discriminatory nature. In addition, the policies are incompatible with Brazil's system and order of racial classification. The author ignores how the ascription of socio-economic status instead of race to affirmative action colorblinds the policy, therefore "sweeping under the rug" the insidious nature of colonial legacy which created a racial binary disadvantaging Afro-Brazilians.

American versus Brazilian Affirmative Action

The affirmative action policy in the United States and Brazil have been discussed separately. This section compares the policy in both states. As shown above, both policies are equally contested, albeit their implementation is forty years removed. According to Telles (2013), affirmative action is contested as either advantageous or detrimental to dominant and dominated racial cleavages in both the United States and Brazil. While Telles states affirmative action in the workplace and education can mitigate the hyper-inequality experienced by non-Whites, the policy does not serve its constituents as it should due to nuances revolving around the idea of who is disadvantaged.

The issue with Telles' argument is there are two schools of thought revolving around the population the policy should serve: the socio-economically disadvantaged and Afro-Descendants. The policy was originally meant to serve a marginalized community—Afro-

Descendants, yet has become a socio-economic argument in Brazil and a diversity argument in the United States. Following the idea that if a nation is colorblind, then colonial racism has disappeared has not necessarily been the case. The policy has been couched as a form of reparation of past ills in both countries with Afro-Descendants having been affected the worse in both countries. But with new socio-economic and diversity narratives clouding who is actually marginalized, the policy ceases to be a method of reparation for Afro-Descendants injured by the detrimental effects of a colonial history of slavery. Instead it becomes open for anyone to benefit.

Another comparison to draw with respect to affirmative action in the United States and Brazil is time. In the United States, the policy was implemented in the 1960s in the form of quotas. Over forty years, Americans have contested the policy through the courts, allowing Supreme Court judges to make decisions regarding who the policy should benefit. Today, quotas in affirmative action are unconstitutional and White women have benefited the most from the policy (Ezorsky 1996, (Kellough 2006). However, the idea that Afro-Descendants should benefit from the policy remains rejected by important policy makers. As late as December 2015, Supreme Court Justice Antonin Scalia said: “I don't think it stands to reason that it's a good thing for the University of Texas to admit as many Blacks as possible.”²³

While the diversity argument drives the legitimacy of the policy in the United States, the policy was legislated and officially implemented by way of quotas in Brazil as of 2012. Just like in the United States, the courts are the avenue where the policy is challenged. As the policy becomes embedded in Brazilian institutions, only the future will tell how the policy will morph using the court system to validate or disprove it.

²³ <https://www.theguardian.com/law/2015/dec/09/supreme-court-affirmative-action-fisher-v-university-of-texas>

Literature Review Conclusion

The literature surveyed indicates how race relations during slavery correlate to race relations today in Brazil and the United States. Statutes and mandates controlled Afro-Descendants in both countries' colonial phases. Once both nations transitioned from colonies to republics, laws and policy managed race relations, a contemporaneous phenomenon. Also, a preponderance of literature shows arguably racist laws and policies transformed into laws and policies supposedly serving as mechanisms to mitigate past injustices suffered by African-Americans and Afro-Brazilians. The literature has shown those contemporary laws do not necessarily serve their original purpose but, in fact, do not allow the constituents they are supposed to serve to thrive educationally, politically, economically and socially by transforming into colorblind policies. In addition, while the literature does not expressly state it, and using Carter Wilson's definition of structural racism, one can argue for structural racism developing during Brazil's and the United States' colonial eras and progressing through the twentieth century. The processes are different. The end result is the same: Whites at the top and Afro-Descendants at the bottom. However, the literature does not show a direct correlation between colonial policies from the past and contemporary policies and the literature does not address common-sense racialization informing purported liberal minded people. My research study aims to fill that gap.

Theoretical Frameworks

Considering the gaps found in the literature, this study juxtaposes four theoretical frameworks from prominent scholars who have formulated arguments clearly illuminating the construction and propagation of structural racism. The study's goal is to understand structural

racism in liberal spaces such as publicly funded universities within colorblind states. The study relies on the four theoretical frameworks to make the connection between the construction of race and racism to past colonial legacies. To frame the four theoretical frameworks, an exploration of the meanings of liberalism and colonialism is essential.

Understanding or defining liberalism is not an easy task. This conundrum stems not only from a lack of information about the formulation of this ideology but also from little knowledge about its origins, and why it has become the hegemonic understanding of Western political and societal frameworks. Another very important dimension of liberalism is its association with colonialism and empire.

Uday Singh Mehta (1999) argues a strong correlation exists between liberalism and empire. To Mehta, liberalism, in the context of the British Empire, is apathetic towards the unfamiliar, aloof, and assumes a paternalistic posture whereas the unfamiliar is synonymous with the child, the backward or the savage must be tamed, enlightened and taught. Mehta examines the writings of a number of renowned liberal thinkers of the 17th, 18th and 19th centuries—John Locke, Thomas Hobbes, John Stuart Mill, Lord Thomas Macaulay, James Mill, and Edmund Burke—to demonstrate traditional liberalism’s benign indifference towards the collective and private identities of cleavages considered backward and savage.

Moreover, Mehta argues liberalism’s universality of freedom precludes particular groups; therefore, liberalism operates on a politically exclusionary basis. Mehta quotes Locke who states, “political inclusion is contingent upon a qualified capacity to reason” and finds other liberal philosophers share Locke’s sentiments regarding liberalism’s circumscribed dogma. Mehta further argues a constant tension exists with liberal ideas, such as tolerance, due to a constitutive impulse to better the world. To that end, Mehta disputes the logic associated with all Western

democratization processes based in liberal ideology due to the exclusion of large groups' right to suffrage.

Mehta correlates colonialism to liberalism' exclusionary traditions: "the facts of political exclusion – of colonial peoples, of slaves, of women, of those without sufficient property to exercise either suffrage or real political power—over the past three and a half centuries must be allowed to embarrass the universalistic claims of liberalism"(Mehta 1999: 76). While President Truman's 1947 Commission on Higher Education certainly prescribes to the hegemonic understanding of ideal liberal Western political and societal ethics, Singh Mehta's and other scholars' arguments uncover how the definition of liberalism becomes fluid and does not necessarily serve the "excluded other."

Appreciating the meanings of colonialism and empire, much like liberalism, depends upon a number of variables including time, space and academic discipline. A thorough examination of these two concepts will not be offered in this study; however, it is important to discuss how liberal thought has permeated both 19th century colonialism and empire. This permeation has caused a backlash from postcolonial scholars who argue integrating previously classified people through structural processes in furtherance of colonialism and empire is incongruent with the Western world's reliance on liberal ideology.

Frederick Cooper (2005) offers an informative investigation of colonialism and empire where the author exposes how colonialism and empire obfuscate the foundations of rationality and liberalism. Both philosophies are grounded as follows: "The goal has been no less than to overthrow the place of reason and progress as the beacons of humanity, insisting the claims of universality emerging from the Enlightenment obscure the way colonialism imposed not just its exploitative power but its ability to determine the

terms—democracy, liberalism, rationality—by which political life the world over would be conducted from then on.” (Cooper 2005: 15)

Cooper not only aims to reveal the western bias imposed upon the subaltern and the colonized, based upon the claim non-White cleavages were considered backward and savage and needed to be classified and enlightened by European Whites. He also asserts how colonial enterprise is a direct violation of liberal ideals held as hegemonic models in modernity, such as democracy.

According to Cooper, equality amongst all is not sustainable in the realm of colonialism; therefore, true democracy in a liberal dogma cannot be achieved. Cooper summarizes his thoughts:

The more profound argument lies both in a supposedly post-Enlightenment penchant for classification—and hence invidious distinction based not on the give and take of relations between unequals but on systemic rankings of peoples—and, more persuasively, in the contention that as European publics claimed rights and citizenship for themselves, they defined a sharper division between a metropolitan polity for which such claims were relevant and an external sphere for which they were not. Subordination was no longer a fate to which anyone might be subject, but a status assigned to specific people, whose markings therefore became an issue. Overcoming such marking required evidence both of civilizing missions and of tightly controlling the passage from one status to another. (Cooper 2005: 28)

The above discussions concerning liberalism and colonialism underpin the four theoretical frameworks supporting this study. The first theory is from Pierre Bourdieu (1970), who uncovers the shift to the modern state from a ‘war state’ developed during the feudal era to

an 'educative state.' Bourdieu examines the mechanics of elites' standards being disseminated to the lower classes through institutions are foundational to society's culture.

Bourdieu's research is centered in educational institutions. According to Bourdieu, created culture—via education—serves to produce and reproduce the notion of a society within its members and inform them of its legitimacy. Elites' concepts become the culture of the society through the power they exert by the imposition of ideas, a conception called symbolic violence: "symbolic violence insofar is the imposition of a cultural arbitrary by an arbitrary power. The cultural arbitrary means cultural constructs derived from the interests and social understandings of the elites who command the formulation and implementation of education" (Bourdieu 1970: 67). This cultural arbitrary is based on a cultural construct which is not indicative of a culture associated with the non-elites, but rather, a cultural form inculcating its members to be loyal to a particular set of social relationships and naturalized social life. Bourdieu's habitus conceptualizes reality which is unequivocally received and accepted.

The second theoretical framework is put forth by Frantz Fanon (1952, 1961). He contends violence in its natural state blends structural violence and colonized Blackness. Fanon underscores the divisive nature of colonialism. Fanon's structural violence concept refers to an international capitalist system created where a mercenary global system of exploitation forces billions of people into poverty. Structural violence prevails when colonized Blackness becomes imbedded in the minds of the people forced into poverty driven by a Manichean²⁴ dualism whereby Whiteness is superior and Blackness is inferior.

²⁴ Fanon states that the colonial world is "a world divided in two," it is in no way a simple denunciation, but in his eyes, the objective delineation of the parameters of possibility within the existing colonial situation. Fanon interprets Manichean dualism as a deviation from his text *Black Skin, White Masks*.

Colonized Blackness is the application of a psychoanalytic theory where the colonized Black subject loses his cultural origin and embraces the culture of the colonizer. The colonizer's culture becomes imbued in the psyche of the Black subject, engendering a profound complex of inferiority materializing through the appropriation of the colonizer's culture. Fanon posits the Manichean scheme producing colonized Blackness can be reversed when the colonized subject employs the colonizer's original tactics to implement structural violence, such as seeking liberation from its colonizer using physical or psychic violence.

Glenn C. Loury (2002) offers theoretical insight on how colonial policies play out in colorblind policies today. Loury merges classical economic and sociological analyses of racism by developing race as a social cognitive which is distinct from a biological taxonomy employing three concepts: racial stereotypes, racial stigma, and racial justice. Racial stereotypes²⁵ embody social signification; racial stigma stipulating racial inequality perseveres because of biased social cognition; and racial justice puts forth a superficial moral standard through colorblindness.

Loury points to an adverse selection mechanism explaining why a taxi driver is less likely to pick up a Black man for fear of not being paid or robbed, and the moral hazard mechanism whereas a Black man is more likely to pay more for a car than a White man. When considering these two mechanisms, an interesting dilemma occurs promoting a non-race based contra-group-solidarity from members in the group better off. To that end, anti-stigma becomes a conceptual basis for race egalitarianism. Discrimination in contract and discrimination in contact are Loury's core arguments. According to the author:

²⁵ Stereotype is used in theoretical-informational and narrow senses such as information -- a personal trait, observed at low cost with high reliability, correlated with other traits of interest that are difficult, costly to observe, making it "rational" to condition an agent's action on racial information.

Discrimination in contract invokes the unequal treatment of otherwise like persons on the basis of race in formal transactions—the buying and selling of goods and services, for instance, or interactions with organized bureaucracies, public and private. It is a standard means of effecting reward bias against blacks. By contrast, discrimination in contact involves discrimination on the basis of race in the informal, private spheres of life—in the associations and relationships that are formed among individuals in social life, including the choice of social relations, neighbors, and friends. (Loury 2002: 2)

To Loury, discrimination in contract allows a liberal state to exercise its authority to sponsor social justice, such as U.S. courts enacting and outlawing Jim Crow laws. On the other hand, discrimination in contact is an individual's prerogative to discriminate in a liberal political order.

A colonial legacy of understanding non-Whites as a 'means to an end' who are dangerous if not controlled permeates today, in discrimination in contact. When discrimination in contact becomes blatant enough to be 'called out' by activists or constituents, policy makers enact discrimination in contract. Those policy makers must outwardly reject prejudicial policies because they cannot be seen as blatantly racist but implement colorblind programs perpetuating their racist agenda in veiled fashion.

The third theoretical framework is Eduardo Bonilla-Silva's (2010) new-racism. New racism expounds on the ideological and conceptual system of colorblind racism. Bonilla-Silva deconstructs "new racism" into four ideological frames: abstract liberalism, naturalization, cultural racism and the minimization of racism. Bonilla-Silva's abstract liberalism frame denotes political and economic ideas of liberalism eliminating matters of race and racism. Naturalization occurs when a White majority rejects any consideration of White phenomena as manmade developments. For example – "Whites can claim "segregation" is natural because people from all

backgrounds gravitate toward likeness” (Bonilla-Silva 2010: 28). Cultural racism arguments based in culture explain the inferior status of minorities. The minimalization frame purports discrimination based on race is disappearing, therefore debunking the notion that significant impediments exist thwarting the social mobility of people of color.

This study focuses on Bonilla-Silva’s abstract liberalism, whereas: ”by framing race-related issues in the language of liberalism, Whites can appear “reasonable” and even “moral,” while opposing practically all approaches to deal with de facto racial inequality” (Bonilla-Silva 2010: 28). Abstract liberalism allows for the meritocratic claim suggesting the most qualified rise to the top, although most jobs are obtained through informal networks.

Derrick Bell, the leading scholar in Critical Race Theory (CRT), emphasizes how racism is a social construction exacerbated by judicial decisions institutionalizing racist practices. CRT contends racism remains in society by being a part of American everyday reality in an invisible, subtle, invidious manner in contrast to the blatant racism of the past. The importance of CRT theory in this study posits only the people affected by invisible and structural racism can speak and testify to it. Since Afro-descended people from Brazil and the United States are interviewed, this study qualifies as a CRT project.

Summation

Bourdieu’s White habitus and symbolic violence, formulated by Fanon’s violence in its natural state through the necessity of Afro-Descendants to appropriate ‘White’ culture and of Fanon’s colonized blackness, Loury’s theory of discrimination in contact and in contract, along with Bonilla-Silva’s new racism theory through abstract liberalism, have greater implications and are the foundation of the structural racism dogma currently plaguing Afro-Descendants in

purportedly colorblind societies. My research study aims to tie these theoretical frameworks to what is happening with Afro-Descendants in New York City and the City of São Paulo socio-economically and educationally, focusing on liberal institutions that are influenced by race-based affirmative action: publicly funded universities.

Chapter 3 – Methodology

The purpose of this study is to investigate how the colonial legacies of the United States and Brazil inform and influence contemporary public policies designed to allay structural racism. These vestiges of slavery still appear to be entrenched in the actions of policy-makers who continue to propagate institutionally embedded structural racism. I argue that there is salience in structural racism today, even in the most liberal spaces like colleges and universities and among the most liberal thinking academic professionals. Furthermore, I argue as long as symbolic violence (Bourdieu 1990) is evident in these same liberal spaces and among academic professionals, current public policies designed to mitigate racial disparities will not succeed in equalizing the playing field for Afro-Descendants.

I chose to compare colleges and universities in the countries of Brazil and the United States because, despite their shortcomings, these countries are often referred to in the literature as prime examples of post racial and colorblind societies (Telles 2013). Colleges and universities, as predominantly liberal spaces, serve as litmus tests for evaluating whether structural racism still exists in post racial and colorblind societies. Lastly, I propose the similar slave double-consciousness (Fanon 1952) necessary to survive in colonial milieus is in play today as a response when Afro-Descendants experience the consequences of discrimination on the basis of race.

To answer my research questions, I used a mixed methods approach. First, I acquired social indicator data (e.g. race, income, employment) from federal repositories in both countries to understand Afro-Descendants' socio-economic and educational successes or failures quantitatively, with race-based affirmative action in effect. Second, I carried out semi-structured interviews with Afro-Descendant students and academic professionals in liberal universities. The interviews qualitatively assessed the impact of structural racism on individuals and the extent to which the colonial history of slavery and its damage are still deeply embedded in today's institutional infrastructures and its operatives who have historically been White. In this scheme, continuity exists between past colonial legacy and policies establishing White superiority and the present. Current contexts are a product of past and present policies. These racist propositions are supported by contemporary public policies implemented by legislators who are often White, yet purport to be colorblind. Despite their assertions of being colorblind, their actions advance racism.

The theoretical frameworks driving my study are Pierre Bourdieu's habitus and symbolic violence (2000), Frantz Fanon's (1952, 1961) violence in its natural state, Glen Loury's (2002) discrimination in contact and in contract and Eduardo Bonilla-Silva's (2010) abstract liberalism. These theories support the underlying supposition that Afro descended people in the United States and Brazil have been hindered in their efforts to succeed because of structural racism. In this study, affirmative action, a policy addressing the vestiges of colonial history, is an instrument underpinning structural racism in liberal institutions located in the United States and Brazil.

Methodology

My comparative Brazil – United States research project employs a mixed method approach juxtaposing quantitative secondary data analyses and qualitative, exploratory, semi-structured interviews. In the field of political science, there is a longstanding debate regarding quantitative and qualitative comparative methodological research. Both methods have demonstrated strengths and limitations. Qualitative methodology has been viewed as unsound because intensively analyzing a small number of cases can lead to sampling bias, self-selection bias or observer-expectancy effect, which can result in conclusions based on flawed data (Geddes 1990; King, Keohane and Verba 1994). Alternatively, examining large data sets using quantitative methodology can lead to spurious outcomes because of causal processes and complex phenomena which may not be captured in the data (Munck 1998).

This study capitalizes on the strength of both quantitative and qualitative research methodology. Evan Lieberman (2005) proposes a nested analysis in comparative research. Lieberman combines intense statistical analyses of a large sample of cases (large-N analysis—LNA) concomitant with the in-depth investigation of one or more of the cases contained within the large sample (small-N analysis—SNA). The scholar's nested approach assumes an interest in both the exploration of general relationships and explanations as well as the specific explanations of individual cases and groups of cases (Lieberman 2005: 436). In addition, Lieberman's nested analysis does not have an affinity for a single theoretical framework. Instead, it strives for a more universal positivist goal of causal inference. According to Lieberman:

Nested analysis provides a stronger basis for causal inference than the sum of its small-N and large-N parts. Rather than emphasizing the common inferential logic of qualitative and quantitative research strategies, the nested analysis approach emphasizes the

complementary distinctiveness in these two modes of analysis and strategies for causal inference. (Lieberman 2005: 450)

Lieberman's nested analysis approach could constitute two projects, but in the final analysis, it does not as it relieves the inferential burden associated with SNA and LNA performed independently, facilitating the defense of a methodologically pragmatic scheme for comparative analysis (Lieberman 2005: 450). My study is inspired by Lieberman's nested approach as his LNA analysis relies on regression requiring specific data sets. The requisite data sets appropriate for regression analysis were available in the United States but not in Brazil.

The large-N analysis used in the current study is secondary data, pursuant to Emma Smith's (2008) *Using Secondary Data in Educational and Social Research*. Researchers rely on governmental secondary data sources to formulate hypotheses. As with most aspects of social science, different meanings of secondary data analysis exist. Smith relies on Catherine Hakim's (1982) definition:

Secondary data analysis is any further analysis of an existing dataset which presents interpretations, conclusions or knowledge additional to, or different from, those produced in the first report on the inquiry as a whole and its main results. (Hakim 1982: 1)

Secondary data is a large numeric or non-numeric data set available in many forms and from many sources. Examples of secondary data are governmental population census, large-scale surveys, longitudinal studies or administrative records. Secondary data analysis is beneficial because it is cost and time effective since the data collection has been executed and vetted by qualified agents. Moreover, the limitations influencing the data collection are reported, particularly with respect to governmental data repositories (Smith 2008: 5).

Case Selection

Alexander George and Andrew Bennett's (2005) "most similar" case study design provides the framework for this study. George and Bennett's most similar case design involves selecting cases similar in all but one of their independent variables and with a different dependent variable. Since the field of political science remains split along the methodological line with qualitative analysis on one side and quantitative approaches on the other, seeking quantitative evidence to determine whether Blacks had better opportunities in one country versus the other would strengthen my findings but create challenges. To address these problems, comparing racism, country-to-country would not be the best approach for this study. I would have to narrow my geographic focus. After careful consideration, I settled on regions or states in both countries and after reviewing pertinent information about states and cities, I decided to contrast the states of New York and São Paulo, more specifically New York City and the City of São Paulo. Once I identified the two cities, I needed to understand if and how Wilson's and Marable's structural racism functioned in the cities' universities which are considered their most liberal spaces. To achieve this outcome, I narrowed my comparison to the public university systems in New York City—the City College of New York (CUNY) and the City of São Paulo—the *Universidade of São Paulo* (USP). I examined the impact of race-based affirmative action within higher education in the United States and Brazil. Both nations are too large to examine on a macro level; therefore, I limited the locations of my large sample n to cities in the states of New York (United States) and São Paulo (Brazil).

Following most similar comparative case study designs, I chose the two states of New York and Brazil. These states were chosen based on policies currently in effect which promote race-based affirmative action to increase rates of minority enrollment and employment into

public colleges and universities. The State of São Paulo in Brazil was matched by demographics to the State of New York in the United States. Both states ‘are made up of large urban areas’ – the City of São Paulo City and New York City. These cities serve as important economic and financial hubs in their respective countries. Both cities have excellent publicly funded colleges/universities attracting intelligent, motivated, high achieving young professionals. Both cities offer an eclectic and thriving social life, are internationally known for their attractions and economic/financial opportunities and have a cost of living higher than a large cross-section of the country. Both cities are considered “melting pots” and claim to provide the most economic opportunities for minorities.

According to a 2010 article by J.P. in the *Economist*, the United States and Brazil have similar concentrations of ethnic and racial groups. Each country has large numbers of indigenous peoples, including Blacks (because both had slavery until the end of the 19th-century) and immigrants from Italy, Germany and Asia (Chinese predominate in the United States; Japanese in Brazil). Additionally, the City of São Paulo makes a number of unsubstantiated claims such as: it is the largest Japanese city outside Japan, the largest Portuguese city outside Portugal, the largest Spanish city outside Spain and the largest Lebanese city outside Lebanon. According to J.P., São Paulo is New York—the commercial, industrial and financial capital; a city that never sleeps; a 24-hour traffic jam; a gaudy megacity that works; an oceanic sprawl (to quote Norman Gall of the city's Fernand Braudel Institute).

While similar in a number of demographics, the two states/cities do not correlate with respect to percentages of Afro-Descendants—25.3% in New York City and 40.4% in the City of São Paulo as of 2014—but both cities are considered equally progressive and liberal; they are both the nuclei of states which are not as progressive and are more provincial, with greater

agricultural and industrial outlets rather than bustling urban centers. The progressive nature of both cities should offer equal levels of opportunity for Afro-Descendants in comparison to other states/cities in the United States and Brazil. Both cities are perceived as the most advanced, progressive, enlightened and liberal cities in each country (Holcombe 2017). If racism persists in these cities, it is safe to assume racism persists everywhere else in both countries. Accordingly, broader assumptions about the policies of liberal cities would suggest that New York and São Paulo are less likely to perpetuate racism, given their progressive and liberal character.

The study's secondary data sources are the United States Census' American Community Survey (ACS), the Integrated Postsecondary Education Data System (IPEDS), the *Instituto Brasileiro de Geografia e Estatística* (IBGE) and the *Fundação Universitária para o Vestibular* (FUVEST). The independent variable is defined as the policy of race based affirmative action and the dependent variables are the following demographic information: college enrollment rates, number of degrees awarded, employment position types, median earnings and poverty rates that occurred between 2004 and 2014. Data was obtained for New York City, United States, and the City of São Paulo, Brazil.

Qualitative Data Collection

For the qualitative component of the study, I conducted in-depth semi-structured interviews with Afro-Descendant faculty, staff and students who either work at or attend publicly funded colleges and universities in New York City and the City of São Paulo. Following H. Russell Bernard's *Research Methods in Anthropology* (1995), I conducted 30 open-ended semi-structured interviews following an informal script. In New York City, I interviewed six students, six professors and three administrators. One of the professors declined signing the consent form.

In the City of São Paulo, I interviewed eight students, three instructors, three administrators and one professor. The interviews can be considered “expert interviews” based on the premise that Afro-Descendant individuals are the subjects most likely to experience racism; therefore, understanding racism’s impact in their daily lives and routines makes them experts with respect to racism.

Approved Interview Protocol

My study originally called and was approved for 24 participants. The approved study procedures’ questions submitted in 2015 to the Institutional Review Board (IRB) were as follows (see appendix C):^v

- You will be asked if you are knowledgeable of the definition of race-based affirmative action and how/why affirmative action is implemented in your institution of higher learning;
- You will be asked if you consider your university to be a liberal space;
- You will be presented with quantitative findings about how race-based affirmative action has affected the admission, enrollment, graduation and employment for Afro-descendants in your state and your institution of higher education;
- You will be asked if you were aware of the quantitative findings presented to you;
- You will be asked if the findings resonate with you;
- You will be asked about your experience as an Afro-Descendant student or employee in your university;
- The interview should be conducted in one session and should last no more than 90 minutes (include reviewing the consent form);

- The research will take place in a public place of your choice at a time that is convenient for you;
- You will be asked if you agree to record your responses using an audio-recorder. The principal investigator will transcribe the tapes. The transcription of the information on the tapes and the tapes will be saved in a secure and locked location for five years after the Final Report is submitted to the IRB. When the time comes, you will be informed that the tapes containing your interview and the electronic copy of the transcription of your responses will be deleted.

Sample Selection

Once my IRB application was approved, I needed to find respondents willing to participate in my study. I composed a script that included introducing the research study, making a plea to consider being a participant providing information about me, as the researcher (see appendix F).^{vi} I emailed Brazilian contacts I met at the *Universidade de São Paulo* while participating in a fellowship at *Universidade Paulista*, São Paulo in 2015. I also emailed some American colleagues with contacts in the City University of New York system. I also sent emails to representatives of CUNY's Afro-Descendant/Black organizations/associations I found on the web.

My participant pool of 12 participants in New York City and 12 in the City of São Paulo developed by snowball sampling²⁶ as my contacts forwarded my introductory email to people they thought qualified for and would participate in the study. Upon receiving names from my

²⁶ "In the snowball technique, you use key informants and/or documents to locate one or two people in a population. Then, you ask those people to (1) list others in the population and (2) recommend someone from the list whom you might interview. You get handed from informant to informant and the sampling frame grows with each interview." (Bernard 1995:193)

contacts and responses from online inquiries, I forwarded a synopsis of my research to participants through email and set up in-person 90-minute interviews with each respondent prior to my arrival in both cities. Further snowballing occurred in the City of São Paulo as three additional respondents reached out to me upon my arrival to the city in April 2016. In September 2016, I experienced three cancellations when I arrived in New York City due to conflicting schedules. Snowball sampling called for me travel to New York City again in October 2016, providing six additional interviews. Thirty participants took part of my study: 15 Afro-Descendant faculty, staff and students from the City University of New York (CUNY) system and 15 Afro-Descendants from the *Universidade de São Paulo* (USP).

Interview Process

Following Beth Leech (2002) with respect to conducting semi-structured interviews in the field of political science, I rearranged the order of the questions in my IRB interview protocol, leading with asking grand tour questions.²⁷ Having read extensively to prepare for conducting semi-structured interviews and to ensure as best as possible that my participants' responses were not led, I relied on using prompts²⁸ about race-based affirmative action rather than presenting data about my quantitative findings.

I conducted interviews in a wide range of venues, including participants' offices and homes, Afro-Descendant/Black organizations' meeting rooms, parks, hotels, coffee shops and

²⁷ "Grand Tour Questions: The single best question I know of for a semistructured interview is what Spradley (1979) calls a grand tour question. Like the name suggests, these questions ask respondents to give a verbal tour of something they know well. The major benefit of the question is that it gets respondents talking, but in a fairly focused way. Many good interviewers use this type of question instinctively." (Leech 2002: 667).

²⁸ "One difference between a prompt and a question is that the prompts are not scripted as are the initial questions. The reason is that every interview is different and the list of possible probe situations could potentially go on for dozens of pages" (Leech 2002: 667).

restaurants. All participants' initial tensions regarding disclosing their attitudes about structural racism eased as I did all that I could to make them feel comfortable and safe (Bernard 1995, Leech 2002). Also, I openly acknowledged my Afro-Descendant heritage. Yet, negotiating the positions of my Brazilian and American participants in their respective social contexts required different approaches (Twine and Warren 2000).

In Brazil, I took part in social activities with participants prior to their interviews. I attended cultural and university events and family gatherings to garner sufficient trust for the participants to share their life stories and possible racist encounters. My status as an American woman of color and openness to experiencing Brazilian culture became meaningful. They appreciated my willingness to fully immerse myself into their worlds, leading to rich interview responses.

In the United States, social interactions were not a condition of conducting interviews. Instead, the interviews took place more formally, and the respondents asked me to participate in social activities directly after the conclusion of each interview. Brazilian participants were not concerned about signing the Institutional Review Board consent forms. American participants, on the other hand, requested I review the form and protocol carefully, and needed assurance they would not suffer repercussions from answering my questions.

Quantitative findings were presented via prompts to the interviewees in order to gain a better understanding of race-based affirmative action from an empirical point of view. As Leech (2002) suggested, the prompts precipitated a discussion about participants' experience as minorities penetrating these institutions relative to race-based affirmative action. They discussed how they felt or believed they were affected by race-based affirmative action. As advised by Bernard (1995), I steered my participants' discussions to the topic of structural racism and race-

based affirmative action, and I “got out of the way” (Bernard 1995: 216). Having confirmed that each participant identified as Afro-Descendant while gathering the pool of participants, I led every interview in English or Portuguese as dictated by the interviewees’ spoken language with the following two questions: What has your experience been as an Afro-Descendant within your institution, and do you consider the university you are affiliated with liberal? Thereafter, I used silent, echo, uh-huh and “tell me more” prompts to encourage participants to share more in-depth explanations of any racially based negative encounters (Bernard 1995). I recorded the interviews after getting permission from each participant. Religiously after each interview, I spent a few hours jotting descriptive and analytic notes to complement the notes taken during the interview. This step was pivotal as I realized early on while conducting research that discourse analysis would assist in comprehensively reporting my participants’ responses. Upon completion of the interviews and once I returned home from the City of São Paulo and New York City, I ceased contact with each participant and obtained no additional information, which closed the hermeneutic circle (Reiter 2009).

Qualitative Findings’ Transcription and Coding

Immediately after returning from each city, I analyzed the downloaded recorded interviews and all field notes compiled during and after the interviews. Regarding the recordings from the City of São Paulo and while I do speak and understand Portuguese, I opted to have the interviews translated and transcribed by a Brazilian native speaker. I obtained a signed confidentiality agreement from the translator to maintain the privacy of all participants. I translated and transcribed the interviews as well in order to match my translations with those of the translator. At times, the translator’s transcriptions captured the participants’ narratives more

accurately, especially when I could not translate many Brazilian expressions and colloquialisms into English. I relied on software to transcribe the English speaking interviews.

Unlike most anthropologists' qualitative research that is gathered over lengthy periods of time, my interviews ranged from 30 to 120 minutes, depending upon how much the participant wanted to share. Therefore, I did not require a text management program to synthesize common responses. I coded each transcribed interview and all field notes first using an eyeballing method (Bernard 1995). I read and re-read the interview and field note transcriptions using a color-coded highlight content analysis scheme to organize similar responses. The following five themes (Ryan and Bernard 2003)²⁹ emerged from my qualitative data results:

1. Racism and liberalism
2. Criminality inspired by racism
3. Race and Gender
4. Race and Affirmative Action
5. Racism, agency and resistance

I reported my findings based upon the themes discovered while coding interview and field note transcriptions. Coding qualitative interviews using Ryan and Bernard's (2003) thematic technique facilitated my ability to compare interviewees' answers from Brazil and the United States, yielding rich similarities and differences in responses.

²⁹ "Themes, or categories, are the classification of more discrete concepts. This classification is discovered when concepts are compared one against one another and appear to pertain to a similar phenomenon." (Ryan and Bernard 2003: 87)

Subjectivity and Personal Bias

I position myself as an African-American transnational political scientist, joining a wave of Black researchers focusing on Brazil and the United States (Caldwell 2007, Mitchell-Walthour 2016, Hordge-Freeman 2015, Farfán-Santos 2016). I arrived in the City of São Paulo feeling apprehensive as my stay in the city was relatively brief but needed to be productive. I was conscious of safety implications since the city seemed under military siege pursuant to Brazilian President Rousseff's impeachment four days prior to my arrival.

To facilitate my study, I secured a stay at an American hotel in Brazil to create a familiar "home" base at the end of each day. How wrong did my preconceived ideas of events turn out to be! As I set foot in the hotel lobby for the first time, I became invisible. Bellmen and front desk staff greeted hotel patrons while I stood in the middle of the lobby with two massive suitcases. They ignored me. What was the difference between the other patrons and me? I was the only Black person in the lobby. Not even hotel staff roaming around were Black. Once I began speaking Portuguese to a front desk staffer, it became clear I was a foreign visitor, and I began benefiting from the same friendly reception other patrons received. The lobby experience turned out to be my initiation as an obviously inferior human being in a nation touting racial inclusiveness and acceptance. Two days later, little did I know that one of my participants, a *Universidade de São Paulo* (USP) Law student who came to my hotel to be interviewed, would tell me I had no business patronizing my hotel:

It was always very evident to black people here in Brazil that we cannot for instance book a room at this hotel. Because we cannot possibly afford that. Even if I arrive here with my luggage, with money, ready for checking in. No you cannot stay here, it's not for people who have your color!

I share this experience and the participant's comment as they directly relate to my positionality vis-à-vis my research project. I have always known I am a Black woman, yet some of my physical features stemming from my racially mixed background have garnered comments suggesting I am not arbitrarily considered Black. While I have heard some African-Americans describe feeling invisible in the American public sphere, this sense of invisibility had never been my experience. I was invisible for the first time in the City of São Paulo, Brazil. After a few days, I needed to mute my American lens that often translated into anger, hurt and frustration in order to relate with my participants as they shared their poignant experiences as Afro-Brazilians being perpetually shunned by a community they had sought out to gain equality and acceptance. As I navigated the city, watching Afro and Euro Brazilians while taking subways and buses to meet participants at social events or at USP to listen to their life stories, I felt I had stepped back in time to the 1960s American Civil Rights movement I had read about many times before.

My American-ness became a status symbol as I traveled around the USP campus. Participants were proud to introduce me as the *doutora* (doctorate) to their friends and anyone near us. It was as if I embodied what they inspired to be. During heated discussions with White Brazilians, some of my participants would rope me in to legitimize their arguments around racism in Brazil and at USP. By the end of my trip to Brazil, I took on a defiant stance where I invited participants to my hotel and forced White hotel staffers to treat them with the same reverence as they treated White hotel patrons. These encounters paved the way for the Brazilian participants to open up about feeling perceived as inferior. Thereafter, they divulged many experiences where they believed they were discriminated against because they identified as Afro-Descendants.

In New York City, my positionality differed slightly. I related to my participants as one of their peers since a number of the participants were faculty and staff in New York City. I followed a strict interview schedule snowballing into more leads. The participants from the City University of New York (CUNY) appreciated my punctuality and seemed more relaxed when they realized I looked and identified as African-American. Much like in Brazil, following a question guide was not helpful, so I used the thematic questioning pattern, which was successful in Brazil. Since I related to my participants on multi-levels, such as being African-American and working for a public university, they became invested in finding more participants for me to interview. Once those new inroads were made, participants invited me to join them in social events after the interviews. While Brazilian participants established a trust relationship before sharing their narratives with me, American participants developed trust with me during the interviews since I understood the intricacies of their situations, due to the complexity of my position as an employee and student working in a liberal space.

After each interview in both the City of São Paulo and New York City, I experienced a deep sense of responsibility towards the participants because they trusted me with their accounts of overt and covert racial discrimination. Most of the participants seemed to perceive their interviews as opportunities to divulge painful and troubling encounters. Participants in Brazil requested that I violate Institutional Review Board protocol by disclosing their names in the study as they view my project as an opportunity to have their voices heard. I did not acquiesce to their request as the integrity of my research was paramount. Their life stories affected me deeply, eliciting feelings of anger, anxiety and sadness, but those feelings challenged me to translate, code and report immediately. My study is not only important because of its contribution to the

academy, but I feel a tremendous sense of responsibility towards the people I interviewed, as I realize and honor the danger in reporting their honest and personal accounts.

Chapter 4 – Structural Racism: Let Us Count the Ways

Introduction

Structural racism is often cited as the reason violence against unarmed African-Americans is splashed across social and mainstream media, dispelling that racism is “a thing of the past.” Recent events in cities like Orlando, Baltimore and Chicago highlight how structural racism have become normative terms in media and academic networks, particularly in light of the “Black Lives Matter” movement. Those terms are certainly normative to me since I perceive structural racism as a part of my day-to-day worldview as an African-American woman.

As a graduate student and new researcher, I wanted to go beyond my personal understanding of structural racism and explore how these concepts are experienced in other parts of the world, specifically Brazil. I enrolled in the course *Democracy and Exclusion in Brazil in the Semester* of 2011 at the University of South Florida. I was astonished to discover through course readings that my assumptions about Brazil’s racial inclusiveness were inaccurate. In fact, course readings suggested Brazil could perhaps be as racist as, or more racist than, the United States (Bowser 1995, Twine 1998, Hanchard 2000, Reiter 2009, Telles 2014). This discovery was especially perplexing, given a report from The Freedom House, which designated both countries “free” with Brazil scoring 81 and the United States scoring 90 in aggregate ranking

scores as of 2016.³⁰ With this newly acquired information, my doctoral research took shape. My quest was two-fold: first, conceptualizing what structural racism looks like in liberal spaces within the United States and second, determining whether racism in liberal spaces in Brazil is as structural as it is reported to be in the United States (Alexander 2012, Carr 1997, Wilson 2009), despite both countries status as colorblind whereas the United States is purportedly post-racial and Brazil is allegedly a racial democracy suggesting the nation has no racial problems.

In this chapter, I use quantitative methodology to compare the earning potential and graduation rates of Afro-Descendants versus Euro-Descendants enrolled in publicly funded universities. The quantitative analysis illuminates whether institutional racism, a level of analysis in the unit of analysis of structural racism, shows racial disparities in educational attainment and social mobility. First, I discuss the similarities and differences between New York City and the City of São Paulo; second, I examine the publicly funded university systems in both cities, including their commitment to affirmative action. Third, I measure and compare educational data germane to Afro and Euro Descendants city wide, considering affirmative action is a policy that both states acknowledge can facilitate racial inclusion. Fourth, I survey how Afro and Euro Descendants fare in their respective cities by analyzing socio-economic indicators such as

³⁰ Freedom in the World is produced each year by a team of in-house and external analysts and expert advisers from the academic, think tank, and human rights communities. The 2016 edition involved more than 80 analysts and nearly 30 advisers. The analysts, who prepare the draft reports and scores, use a broad range of sources, including news articles, academic analyses, reports from nongovernmental organizations, and individual professional contacts. The analysts score countries based on the conditions and events within their borders during the coverage period. The analysts' proposed scores are discussed and defended at annual review meetings, organized by region and attended by Freedom House staff and a panel of the expert advisers. The final scores represent the consensus of the analysts, advisers, and staff, and are intended to be comparable from year to year and across countries and regions. The advisers also provide a detailed review of and commentary on a number of key country and territory reports. Although an element of subjectivity is unavoidable in such an enterprise, the ratings process emphasizes methodological consistency, intellectual rigor, and balanced and unbiased judgments. <https://freedomhouse.org/report/freedom-world-2016/table-scores>

employment and earnings. I conclude by evaluating whether Afro-Descendants have seen any upward shift in their educational and socio-economic conditions from 2004 through 2014 to assess whether an assertion of structural racism can be made to explain any disparities found.

Cities of Lights: New York and São Paulo

New York City and the City of São Paulo are the two largest cities in the United States and Brazil, respectively. Both cities are their respective country's economic and financial hubs. Both cities enjoy tourism for the same reasons, offer an eclectic and thriving social life, are internationally known for their attractions and economic/financial opportunities and have a cost of living higher than a large cross-section in each of their respective countries. In a 2017 article, Hunter Holcombe writes that the City of São Paulo is the New York of Latin America, finding both cities have similarities with respect to cuisine, high profile transportation and shopping, sports and culture.³¹ Both cities are reportedly equally as progressive. The progressive nature of both cities suggests they should yield similarly higher rates of opportunity for Afro-Descendants than other cities in the United States and Brazil. Both cities are perceived to be and symbolize the most advanced, progressive, enlightened and liberal cities in each country. If racism persists in these cities, then it most likely can be assumed that racism persists throughout both countries. As such, New York City and the City of São Paulo should be the least likely places to foster structural racism, given their progressive and liberal character, allowing them to be used as benchmarks for comparison with respect to levels of structural racism.

³¹ <http://www.mpiweb.org/Magazine/Archive/US/September2009/TheNewYorkOfSouthAmerica>

Demographics of New York City and the City of São Paulo

According to a 2010 article by J.P. in the *Economist*:

Both New York City and the City of São Paulo have similar collections of ethnic and racial groups. Each has big minorities of indigenous peoples, of blacks (because both had slavery until the second half of the 19th-century), and of immigrants from Italy, Germany and Asia (Chinese predominate in the US; Japanese in Brazil). São Paulo makes many of those hard-to-verify claims about itself: it is the largest Japanese city outside Japan, the largest Portuguese city outside Portugal, the largest Spanish city outside Spain and the largest Lebanese city outside Lebanon. In the same vein, New York is the world's second-largest Jewish city, its second-largest Italian city, and so on.³²

The article asserts that “São Paulo is New York—the commercial, industrial and financial capital; a city that never sleeps; a 24-hour traffic jam; a gaudy megacity that works; ‘an oceanic sprawl’ (to quote Norman Gall of the city's Fernand Braudel Institute.”

New York City and the City of São Paulo differ demographically and geographically.

The City of São Paulo's population is 28.63% larger and the square kilometers are almost double that of New York City's total area, yet the City of São Paulo is smaller in population density (New York City – 10,833/sq.km; the City of São Paulo – 7,762 sq.km).³³ According to the U.S. Census and the American Community Survey (ACS), New York City is made up of a myriad of

³² http://www.economist.com/blogs/americasview/2010/08/comparing_brazil_and_united_states

³³ U.S. Census Bureau American Community Survey. The ACS is a household survey developed by the Census Bureau to replace the long form of the decennial census program. The ACS is a large demographic survey collected throughout the year using mailed questionnaires, telephone interviews, and visits from Census Bureau field representatives to about 3.5 million household addresses annually. Starting in 2005, the ACS produced social, housing, and economic characteristic data for demographic groups in areas with populations of 65,000 or more. (Prior to 2005, the estimates were produced for areas with 250,000 or more population.) The ACS also accumulates samples over 5-year intervals to produce estimates for smaller geographic areas, including census tracts and block groups.

<https://www.bls.gov/lau/acsqa.htm#Q01>

racess and ethnicities, including official White, Black, Hispanic and Asian races. New York City is also comprised of residents identifying by numerous countries of origin, such as Hungary and Sub Saharan Africa. The City of São Paulo, on the other hand, prescribes to the unofficial national racial categories of White (*branca*), Brown (*parda*), Black (*preta*), Asian (*amarela*) and Indigenous (*indígena*). Although Gilberto Freyre's (1986) description of Brazil's racial inclusion as a racial democracy (*democracia racial*) was debunked, the narrative has survived conceptually. The city and the country were both described as racial democracies during both of my visits to the City of São Paulo. Therefore, race in Brazil and the City of São Paulo is an unofficial self-designation, typically based upon phenotypical features (Reiter 2009).

This research study focuses on Afro-Descendants. To facilitate the discussion, the study compares Afro-Descendants (Blacks) and Euro-Descendants (Whites) only, with the understanding that both racial groups do not represent the total population in each metropolitan area. Statistically, the percentages of Blacks and Whites in relation to the rest of the population are not measurably divergent when analyzing both metropolitan areas.

New York City is comprised of five boroughs—Bronx, Brooklyn, Manhattan, Queens and Staten Island. ACS does not report data by borough but by county. Staff from ACS recommended I aggregate the data for Bronx, Kings (Brooklyn), New York (Manhattan), and Queens' counties to derive at the New York City data. ACS staff clarified no data is available for Richmond County (Staten Island) as those demographics are absorbed in neighboring counties. Additionally, ACS began reporting data by county for New York State in 2010.³⁴ As of 2014, Blacks represent 25.3% and Whites represent 40.7% of the total New York City population. The

³⁴ Reported by the U.S. Census Bureau American Community Survey

Black and White populations are experiencing similar declines as New York City residents are choosing to identify by ethnicity rather than by race.

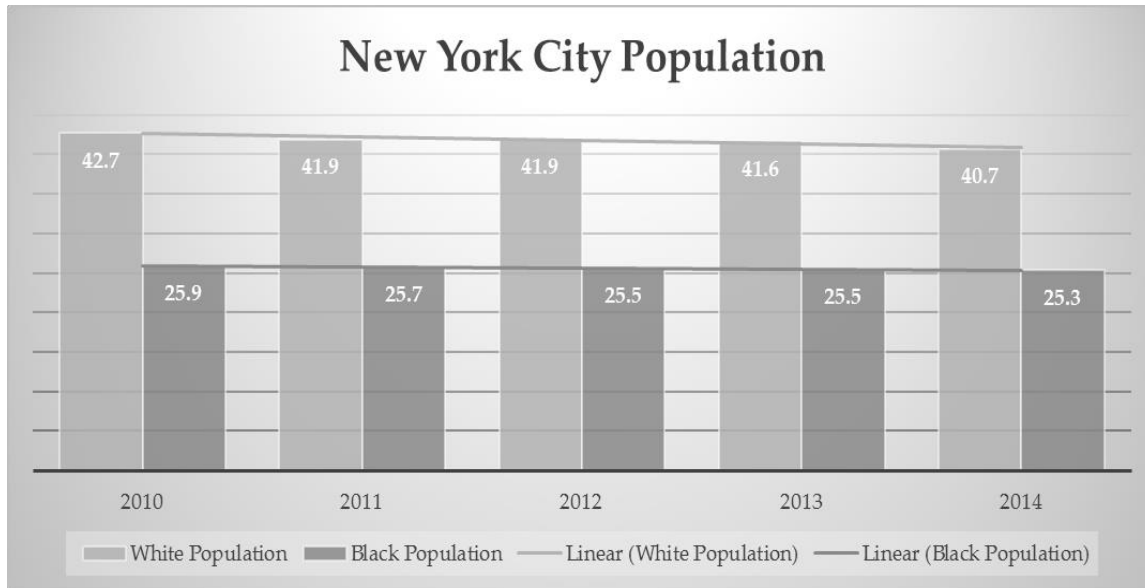


Figure 1. New York City Population – 2010 to 2014 * U.S. Census Bureau – American Community Survey

The Brazilian IBGE reports population data by state, metropolitan area and region. IBGE aggregates Metropolitan Region of São Paulo (*Região Metropolitana de São Paulo*) data. According to the IBGE, no data is available for 2010 as the census was being completed during that year. In São Paulo’s case, the Black population [IBGE combines Brown/Black (*parda/preta*)] is increasing, as people have been more likely to identify as Afro-Descendant over the years.³⁵ This change is also demonstrable in the percentages of Whites decreasing over time. In 2014, 40.4% of São Paulo (SP) residents identified as either Black or Brown while 57.7% of SP residents identified as White.

³⁵ <http://remezcla.com/culture/compared-to-10-years-ago-more-people-in-brazil-identify-as-black/>

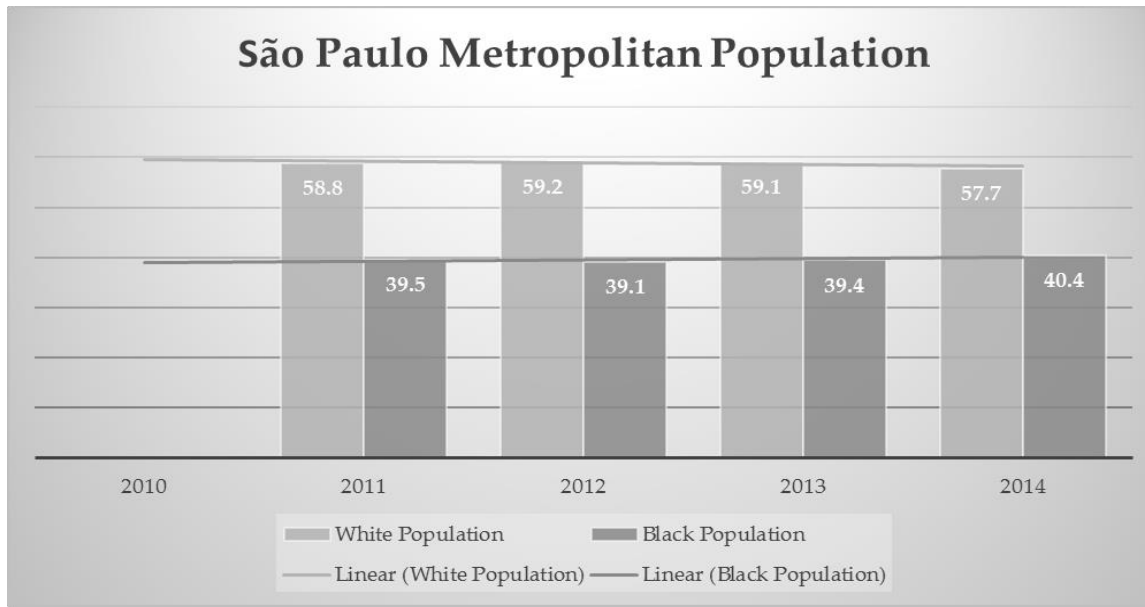


Figure 2. Metropolitan Region of São Paulo – 2010 to 2014 * IBGE – Instituto Brasileiro de Geografia e Estatística

Race Problems in the Cities of Lights: Disparities Abound!

New York City

With regard to New York City and structural racism, a notable 1989 Central Park Five case where five young African-American males were accused of brutally raping a White woman jogging through Central Park attests to the presence of structural racism. After serving more than a decade in prison, the five males were exonerated when the actual rapist confessed. The case garnered media and activists’ attention because the charges against the five males seemed more racially motivated than based in evidence.³⁶ Thereafter, though found unconstitutional in 2013, the Stop-and-Frisk campaign launched by the New York City Police Department in the early

³⁶ <http://www.pbs.org/kenburns/centralparkfive/>

millennium targeted and stopped Blacks and Latinos,³⁷ bringing to light New York City's endemic structural racism problem.

The fact that New York City's African-Americans have seemingly been subjected to racially motivated criminal profiling according to scholars' reports of structural racism begs the question, "Are other institutions fostering structural racism?". Using secondary data analysis, the ACS data suggests Americans who identify as Black are not earning as much as their White counterparts and are more likely to be unemployed. As discussed previously, reporting ACS data for New York City requires aggregating the county data representing New York City. However, the ACS began reporting socio-economic data by county in New York in 2010. Beginning in 2010, the mean earnings in dollars³⁸ of Black New York City residents in the Bronx, New York, Kings and Queens counties are exponentially less than their White counterparts (Figure 3).

³⁷ <https://ccrjustice.org/home/press-center/press-releases/landmark-decision-judge-rules-nypd-stop-and-frisk-practices>

³⁸ The American Community Survey (ACS) is a national survey that uses continuous measurement methods. In this survey, a series of monthly samples produce annual estimates for the same small areas (census tracts and block groups) formerly surveyed via the decennial census long-form sample. A SAS program reads the ACS microdata and aggregate hundreds of Standard Occupational Classification (SOC) codes into the nine occupation categories used in the Equal Employment Opportunity Employer Information Report (EEO-1) at the national and state levels. In the SAS program, we converted the SOC codes to the nine EEO-1 job categories using the conversion table produced by the U.S. Census Bureau. The SAS program then generated an output data file that contained the number of workers and their average monthly earnings by sex, race, and ethnicity for each of the 20 two-digit North American Industry Classification System (NAICS) industry sectors by the nine EEO-1 occupations.

New York City (Counties Combined) Mean Earnings

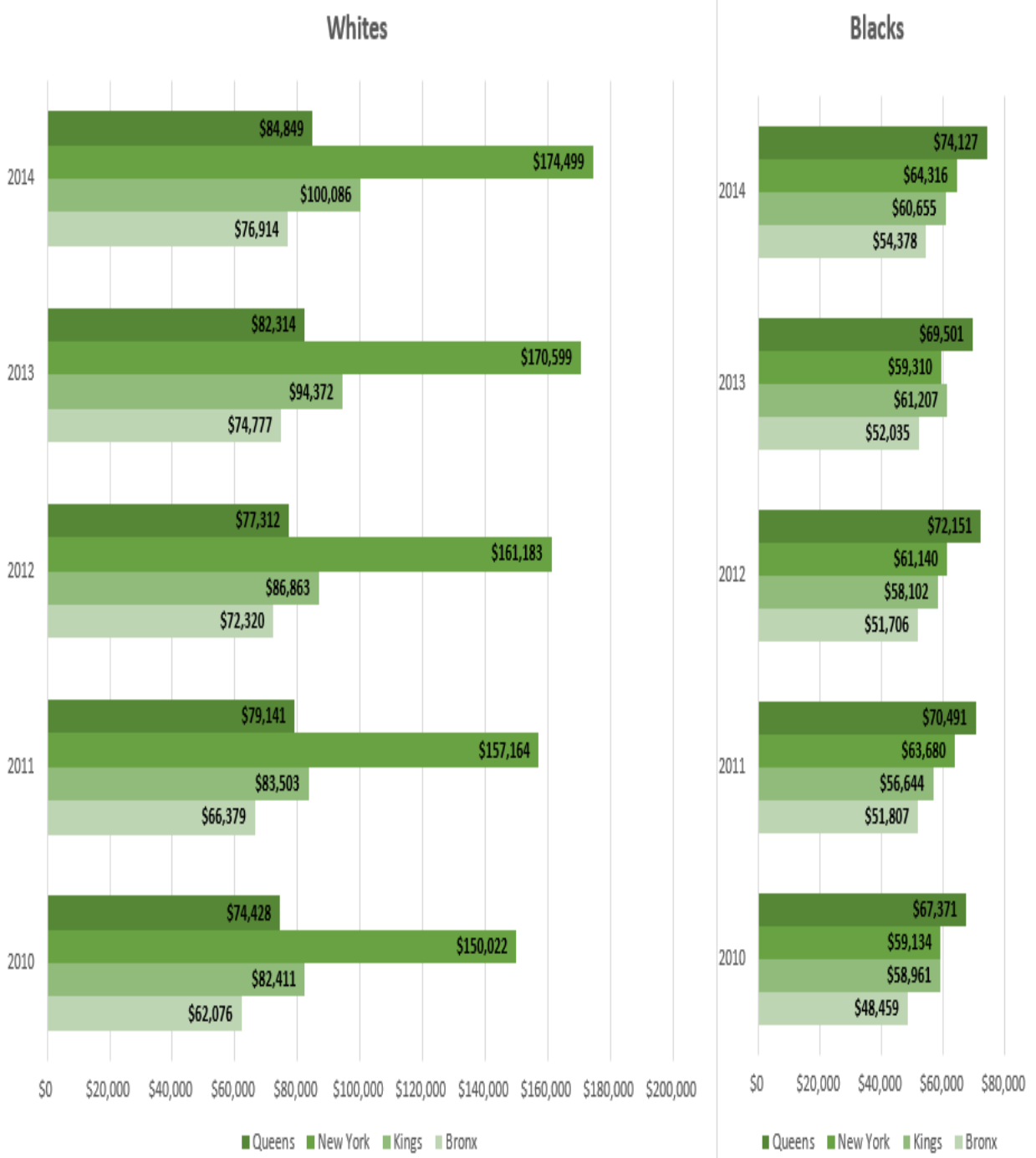


Figure 3. New York City by County Mean Earnings – Whites / Blacks 2010-2014 * ACS: Queens, New York, Kings & Bronx Counties – Data Tables S0201

The data shows both Whites and Blacks have experienced an increase in their mean earnings, but Whites' earnings have risen significantly more per county per year in comparison to Blacks. Kings county, or Brooklyn, has the widest percentage gap between Whites at 21.4% and Blacks at 2.9%.

Race	County	Percentage Change from 2010-2014
White	Queens	23.9%
Black	Queens	12.2%
White	New York	16.3%
Black	New York	8.8%
White	Kings	21.4%
Black	Kings	2.9%
White	Bronx	14.0%
Black	Bronx	10.0%

Table 1. Mean Earnings Percentage Change by NY County from 2010 to 2014 * ACS: Queens, New York, Kings & Bronx Counties – Data Tables S0201

The mean earnings results for Whites versus Blacks are disconcerting and lead to further questions in terms of the occupations held by Whites and Blacks in each county. The ACS catalogues reported occupations by percentage³⁹ as follows:

- Management, business, science and arts occupations
- Service occupations
- Sales and office occupations
- Natural resources, construction and maintenance occupations
- Production, transportation and material moving occupations

³⁹ Occupation codes: Occupation describes the kind of work the person does on the job. These data are derived from responses to write-in questions that are clerically coded by Census Bureau staff. The coding system consists of 539 specific occupational categories for employed people, including military, arranged into 23 major occupational groups. https://usa.ipums.org/usa/volii/occ_acs.shtml

A review of the occupational categories shows the management, business, science and arts occupations are more likely to require higher education degrees while the service, sales and office, natural resources, construction and maintenance occupations are more likely to require certifications (exhibit A).

Using the ACS table S0201 data for the four counties representing New York City, an analysis of the positions potentially requiring bachelors’ and advanced degrees for Blacks and Whites reveals more than 25% of the New York City White residents hold those positions, while Blacks hold 9% of those same positions as of 2014. The Black population has increased slowly between 2010 and 2014 while the White population has decreased slightly year to year during the same period; however, Whites have secured more positions requiring degrees than Blacks over time.

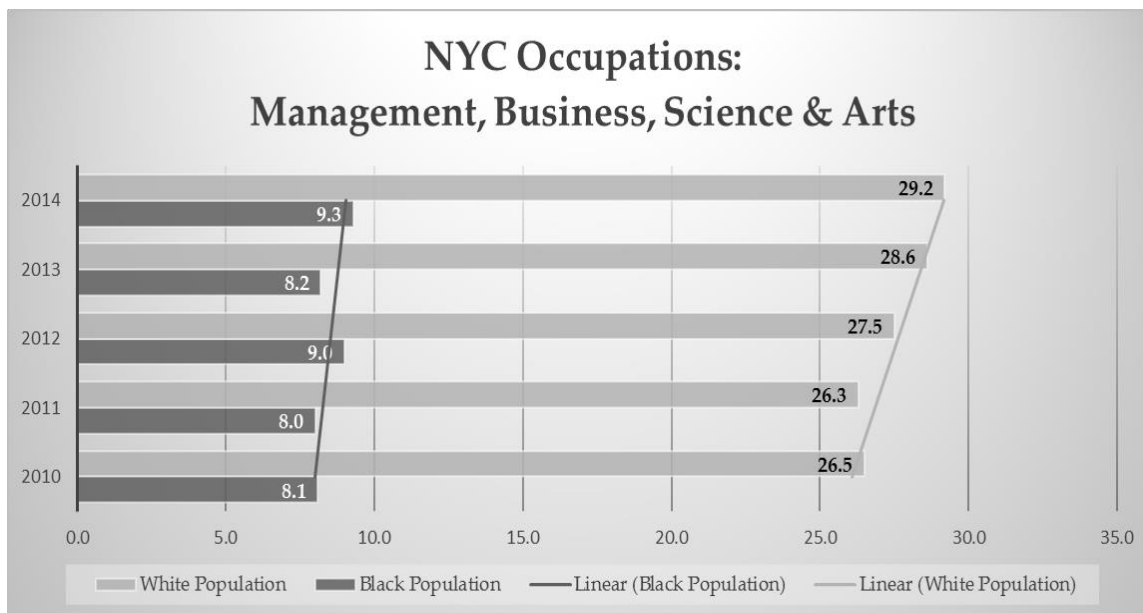


Figure 4. Occupations with Degrees by NY County from 2010 to 2014 * ACS: *Queens, New York, Kings & Bronx Counties – Data Tables S0201*

On the other hand, when looking at positions more likely to not require a higher-level degree, Blacks are represented at a much higher rate than Whites. The rates in this employment category for Whites have gone down consistently each year with the exception of a slight increase in 2011. Blacks' rates of representation in this occupation category seem to remain steady rather than declining.

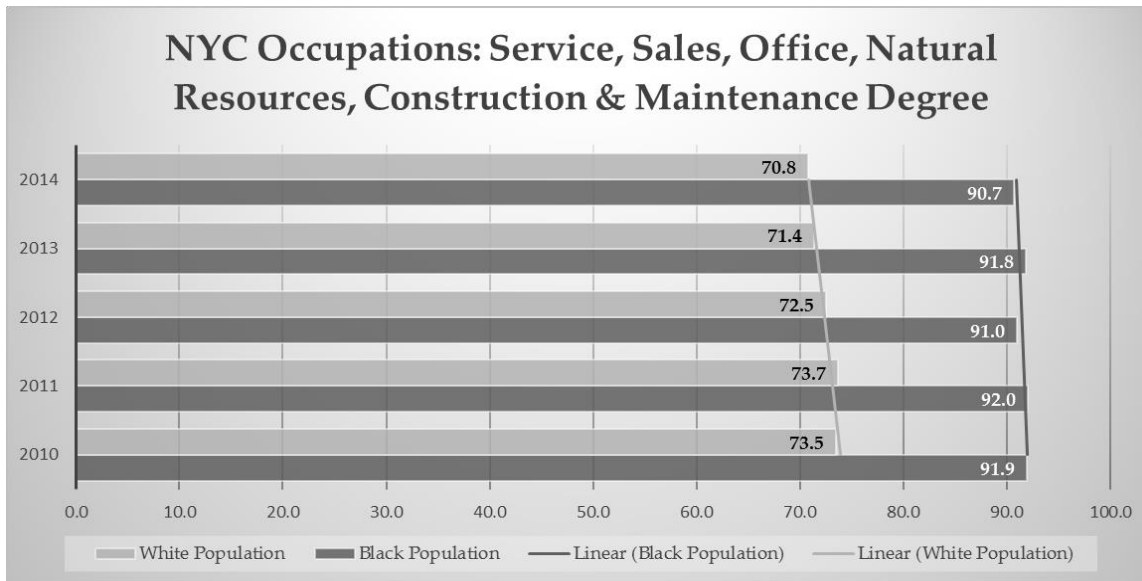


Figure 5. Occupations without Degrees by NY County from 2010 to 2014 * ACS: Queens, New York, Kings & Bronx Counties – Data Tables S0201

New York City unemployment rates are one of the last measures that reveal how Blacks are faring socio-economically. The ACS data shows Whites and Blacks' unemployment rates are steadily declining, showing the economy in New York City is progressing on an upward trajectory from 2010 through 2014. However, Blacks represent higher rates of unemployment than Whites in New York City.

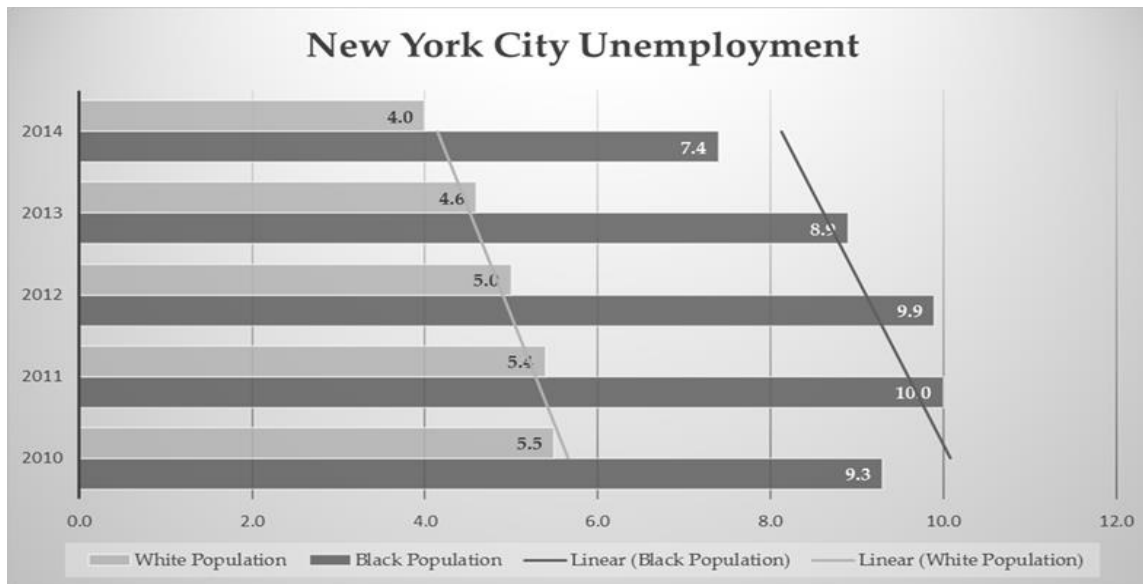


Figure 6. Rates of Unemployment: New York City from 2010 to 2014 * ACS: Queens, New York, Kings & Bronx Counties – Data Tables S0201

Since African-Americans are not as well positioned socio-economically as their White counterparts in New York City based on the data presented earlier, examining socio-economic data about Afro-Brazilians is the next step.

The City of São Paulo

New York City and the City of São Paulo experience similar issues with Black male arrests⁴⁰ A 2016 Aljezeera article reveals that structural racism drives the fact that military and local police in the City of São Paulo routinely target, brutalize and kill Afro-Brazilians. The article posits “police are responsible for as many as one in four killings.” The story focuses on *Italo*, a young Black male gunned down by the police in the City of São Paulo. The article states:

⁴⁰ <https://www.aclu.org/report/driving-while-black-racial-profiling-our-nations-highways>

Italo's death highlights the entrenched social and racial divisions that persist in Brazil, where poor, young, black men are overwhelmingly more likely to be the victims of homicide or police violence. (Cowie, 2016)⁴¹

The *Instituto Brasileiro de Geografia e Estatística* (IBGE) is the Brazilian national census data repository collecting data from every state and municipal area. Much like the U.S. Census, the IBGE collects survey data around the country and analyzes multiple variables to provide relevant details about its nation, states and people. When it comes to indicators reported by race and metropolitan area, IBGE's available data is elusive. In terms of finding earnings, occupation type or unemployment data for Black (*preto*), Brown (*pardo*) and White (*branco*) Brazilians in the metropolitan area of São Paulo for the periods germane to this study, only average income as a multiple of the minimum salary coefficient was available, through 2011. Again, no data is available for 2010, reportedly because census data was collected that year. According to the IBGE, Afro-Brazilians (Black/*preta* & Brown/*parda*) earned 2.7 times the minimum salary coefficient whereas White Brazilians made 4.2 times the same coefficient in 2011.

⁴¹ <http://www.aljazeera.com/indepth/features/2016/06/brazil-police-accused-targeting-black-youths-160619095957017.html>

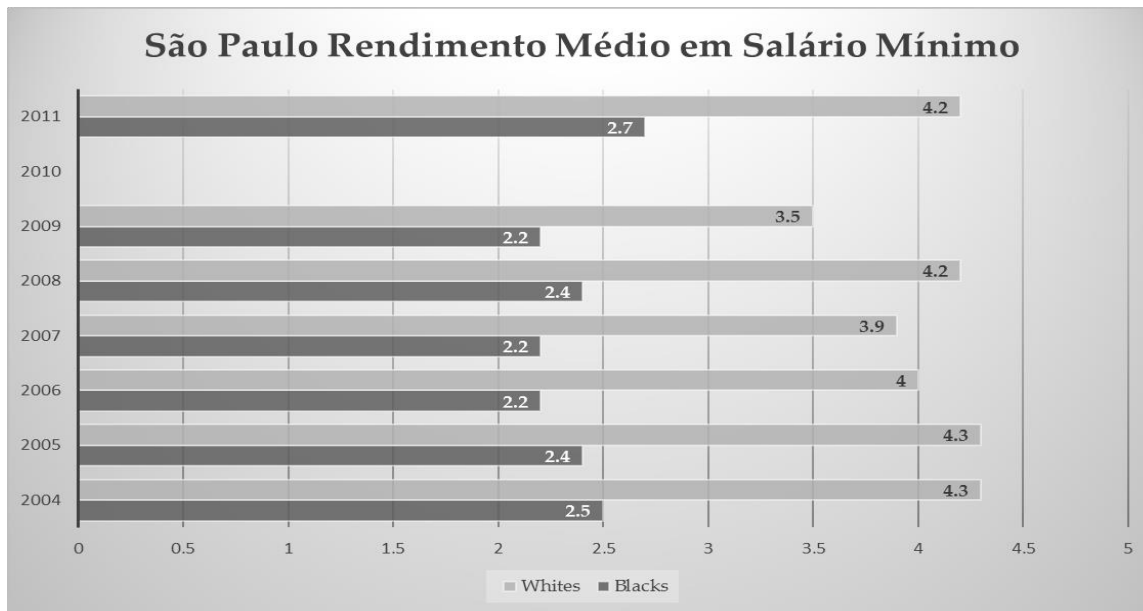


Figure 7. Average Income in Minimum Salary: São Paulo from 2004 to 2011 * *Instituto Brasileiro de Geografia e Estatística – Social Indicator Tables & Reports*

Using the data above, on average between 2004 and 2011 in the City of São Paulo, Whites earned 52.4% more than Brazilian Afro-Descendants.

2004	2005	2006	2007	2008	2009	2011	Average
52.94%	56.72%	58.06%	55.74%	54.55%	45.61%	43.48%	52.4%

Table 2. Average Earnings of Whites in Comparison to Brazilian Afro-Descendants in the City of São Paulo from 2004 to 2011

The organic next question is why Afro-Brazilians consistently earn a minimum of 50% less than White Brazilians in the São Paulo metropolitan area. Understanding what occupations are held by race could provide some insight. However, relying on IBGE data for those variables proved impossible for the years examined in this study, even when making a formal request to the state for the data, since it is available for years prior to 2003. The only data made available by racial group from 2004 to 2014 is under the heading “formal and informal work.” Regarding

the classification of formal or informal jobs, the IBGE states the definition of the International Labor Organization (ILO): formal work includes employees with signed work permits, domestic workers with a signed work permit, military officers, statutory public, and employers contributing to social security. Formal work in Brazil is the equivalent to American positions that are taxable and held legally by United States' residents, whether they are American citizens or have the appropriate visas to work in the United States.

The IBGE data demonstrates Blacks in the metropolitan area have consistently held less formal positions and more informal positions than Whites from 2004 to 2014, excluding year 2010, which has no data available. The data shows that the number of Blacks and Whites in formal positions has increased over the years. While the White population has steadily decreased and the Black (black/brown) population has increased over the years, the gap between Blacks and Whites in formal positions has reduced over the years. With respect to informal work, Blacks represent the highest percentage in the category, year after year. However, even with a steadily decreasing White population over years, the percentage of Whites in informal work is steadily holding at around 27% and around 32% for Blacks with no significant change year after year.

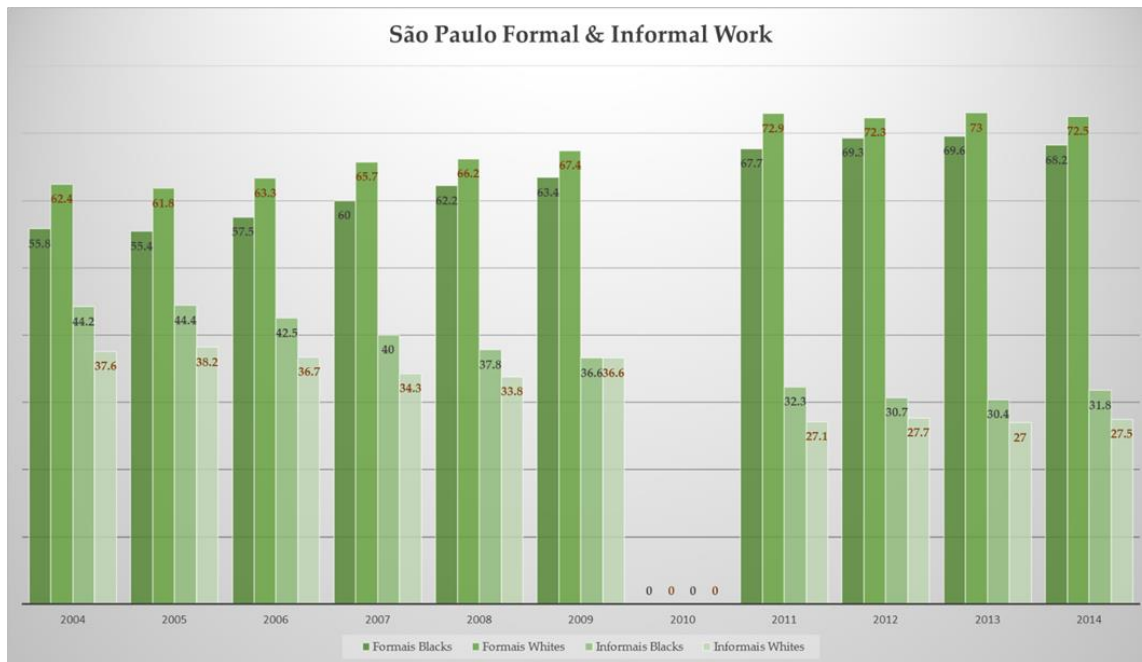


Figure 8. Percentage of Formal/Informal Work for Blacks & Whites in São Paulo from 2004 to 2014 * Instituto Brasileiro de Geografia e Estatística – Social Indicator Tables & Reports

The numbers show African-Americans and Afro-Brazilians are not competing socio-economically with their White counterparts in New York City and the City of São Paulo based on the variables identified and synthesized above. Yet, other factors are possibly influencing these findings, such as educational opportunity. The next step is to evaluate who attends college/university, which is the international gateway to economic success.

Education: The Key to Success

As posited by internationally renowned figures and academic scholars alike, education is considered the most effective measure for promoting national and economic development while mitigating poverty and various types of inequality. Education is available almost globally as it has become an international human right, irrespective of race, gender, socio-economic position and class. Brazil and the United States recognize education as an institution with the ability to

balance a public sphere marred with cultural, racial and socio-economic disparities and stimulate equal opportunity, with the goal of surmounting those disparities.

According to reputable news outlets, comparing the City of São Paulo City and New York City is organic since they both have excellent publicly funded college/university systems that globally attract intelligent, motivated high achieving young professionals. The City University of New York and the *Universidade de São Paulo* were established with the goal of educating the best and brightest in their respective regions to lead the charge in securing free, liberal, democratic nations.

CUNY and USP: Public Institutions

The City University of New York

The City University of New York (CUNY) is a publicly funded university system. Townsend Harris founded CUNY in 1847. As a champion of public education, Townsend “called upon New York City to create a public academy of higher learning to ‘educate the whole people.’”⁴² The CUNY system is comprised of 11 senior colleges—the City College of New York, Hunter College, Brooklyn College, Queens College, New York City College of Technology, College of Staten Island, John Jay College of Criminal Justice, York College, Baruch College, Lehman College, Medgar Evers College, Macaulay Honors College and CUNY College of Professional Studies seven community colleges—Bronx, Queensborough, Borough of Manhattan, Kingsborough, LaGuardia, Hostos and Guttman Community Colleges; and four graduate schools—CUNY Graduate Center, CUNY School of Law, CUNY Graduate School of

⁴² <http://www2.cuny.edu/>

Journalism and CUNY Graduate School of Public Health and Public Policy, all located in the New York City parameter. The university system reports that more than 274,000 men and women are enrolled in degree programs, enjoying an environment “summed into one reason: opportunity. Providing a quality, accessible education, regardless of background or means.”⁴³ CUNY receives funding from the State of New York and the City of New York.

The Universidade de São Paulo

Founded in 1934 by Armando de Sales Oliveira, the *Universidade de São Paulo* (USP)⁴⁴ represents the largest university system in Brazil and is ranked the most elite university system in Latin America.⁴⁵ The USP system includes nine campuses—São Paulo, Bauru, São Carlos, Lorena, Piracicaba, Pirassununga, Ribeirão Preto, São Sebastião, and Santos and serves more than 90,000 students while offering more than 50 undergraduate and graduate degree programs.⁴⁶ The university is publicly funded and is tuition free for all enrolled students. Admission to USP requires passing a stringent *vestibular* (university specific entrance exam).

The Economist⁴⁷ reports that the public-school system in Brazil, including São Paulo, has been consistently rated as one of the worst in the world (2017). It is sub-par and attended principally by the country’s poor and Afro-Descendants—*pardos* (Brown people) and *pretos* (black people) (Hanchard 1991, Telles 2004, Wade 1997, Skidmore, 2010, Reiter 2009). The poor quality of teaching and facilities do little to support student learning.

⁴³ <http://www2.cuny.edu/about/>

⁴⁴ http://www.planejamento.sp.gov.br/noti_anexo/files/Lei_14925_de_28-12-12.pdf

⁴⁵ <http://ruf.folha.uol.com.br/2012/rankings/rankingdeuniversidades/>

⁴⁶ <http://www5.usp.br/servicos/>

⁴⁷ <http://www.economist.com/node/13782570>

To make it even more difficult for these poor and Afro-Descendant public school students to gain entrance to higher education, the USP's entrance *vestibular* exam is rigorous, and students attending public school must pay for yearlong preparatory courses to take the *vestibular*. Private high schools offer *vestibular* preparatory courses as part of the curriculum, allowing those students the opportunity to attend college directly after they complete high school.

The Numbers Game: Where Are the Graduates?

New York City

The ACS data for years 2010 through 2014 indicates disparities in earning, occupation types and unemployment between African-American and White New York City residents with African-Americans lagging behind. Recognizing that education and higher education is a change agent for people needing a leg up in society, obtaining data about publicly funded colleges and universities in New York City is paramount. CUNY has campuses across all five boroughs of New York City (Bronx, Brooklyn, Manhattan, Queens and Staten Island counties). Analyses using Integrated Postsecondary Education Data System (IPEDS)⁴⁸ data from 2004 until 2014

⁴⁸ IPEDS is the Integrated Postsecondary Education Data System. It is a system of interrelated surveys conducted annually by the U.S. Department of Education's National Center for Education Statistics (NCES). IPEDS gathers information from every college, university, and technical and vocational institution that participates in the federal student financial aid programs. The Higher Education Act of 1965, as amended, requires that institutions that participate in federal student aid programs report data on enrollments, program completions, graduation rates, faculty and staff, finances, institutional prices, and student financial aid. These data are made available to students and parents through the College Navigator college search Web site and to researchers and others through the IPEDS Data Center. The completion of all IPEDS surveys is mandatory for institutions that participate in or are applicants for participation in any federal student financial aid program (such as Pell grants and federal student loans) authorized by Title IV of the Higher Education Act of 1965, as amended (20 USC 1094, Section 487(a)(17) and 34 CFR 668.14(b)(19)).

tells the story of how African-Americans are progressing within CUNY undergraduate and graduate programs. These analyses exclude community colleges as they are not determinant factors in securing employment and USP's university system does not include community colleges. Though IPEDS reports the data for all racial groups from the U.S. census, the first step is to understand the enrollment of African-American (Black) versus White undergraduate and graduate students in the CUNY system only from 2004 until 2014.

The numbers show that, over time, Blacks are enrolling in undergraduate degree programs proportionally to Whites with both populations' enrollment experiencing a decrease between 2004 and 2014. However, between 2009 and 2012, Blacks' undergraduate enrollment declined while Whites' undergraduate enrollment increased. This disparity correlates with New York City's 2008 economic crisis.⁴⁹ The banking industry and stock market, both the nucleus of New York City, were affected the most, causing a dramatic surge in the unemployment rate with thousands of bankers and brokers losing their jobs. From the data, it could be hypothesized that New York City residents opted to return to publicly funded colleges during the period, causing CUNY's enrollment to increase for Whites only.

More than 7,500 institutions complete IPEDS surveys each year. These include research universities, state colleges and universities, private religious and liberal arts colleges, for-profit institutions, community and technical colleges, non-degree-granting institutions such as beauty colleges, and others.

<https://nces.ed.gov/ipeds/Home/AboutIPEDS>

⁴⁹ <http://www.economist.com/news/schoolsbrief/21584534-effects-financial-crisis-are-still-being-felt-five-years-article>

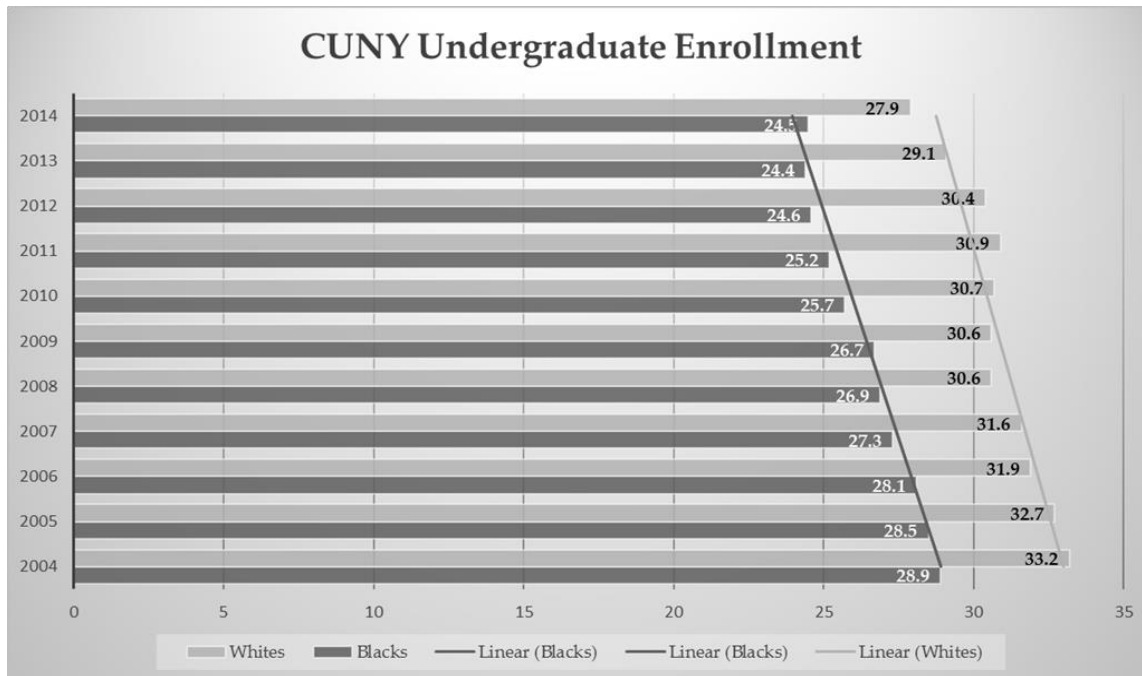


Figure 9. CUNY Undergraduate Enrollment – 4 year Colleges Only – 2004 to 2014 *
*Integrated Postsecondary Education Data System * Includes All Bachelors' Programs*

Much like the New York City population, enrollment of Blacks in CUNY graduate programs is holding steady, around 15 to 16%. Just like Whites' undergraduate enrollment during 2009 and 2012, Whites' graduate enrollment increases, presumably because jobs were not available, and the group opted to return to school. As the enrollment of Whites declines over time, so does the White population in New York City. On the other hand, enrollment of Blacks in CUNY graduate programs is consistently abysmal in comparison to Whites over time.

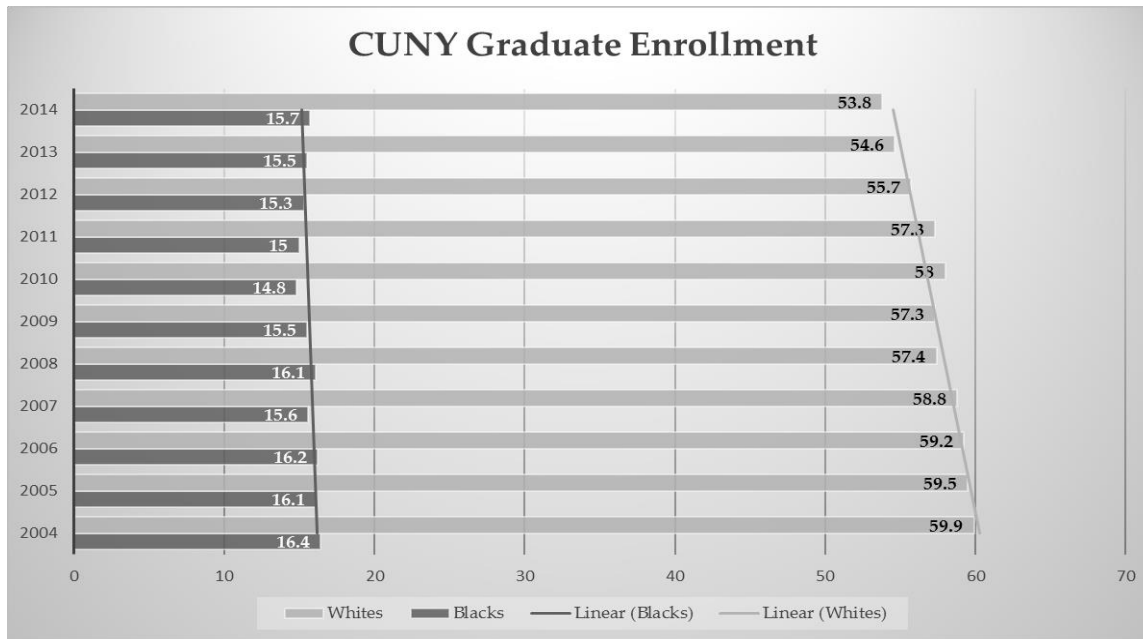


Figure 10. CUNY Graduate Enrollment – 2004 to 2014 * *Integrated Postsecondary Education Data System* * Includes: Masters, JD, Master of Philosophy, Doctoral

One cannot examine college enrollment and not analyze graduation rates. IPEDS reports graduation rates by cohort with a 6-year graduation rate.⁵⁰ This study relies on degrees earned IPEDS data. Information about degrees earned captures the number of graduating students, whether they were part of a tracked cohort or not. The CUNY undergraduate degrees earned data shows a similar trend as CUNY undergraduate enrollment data with Whites performing better than Blacks between 2004 and 2014. Whereas the population of Blacks remains relatively constant and the population of Whites decreases over time, the undergraduate degrees earned for Whites slightly declines over time but dramatically increases proportionally to number of Blacks who earned undergraduate degrees. A visible gap for Blacks undergraduate degrees earned exists where Blacks are not earning degrees at the same rate as Whites.

⁵⁰ IPEDS – Integrated Postsecondary Education Data System

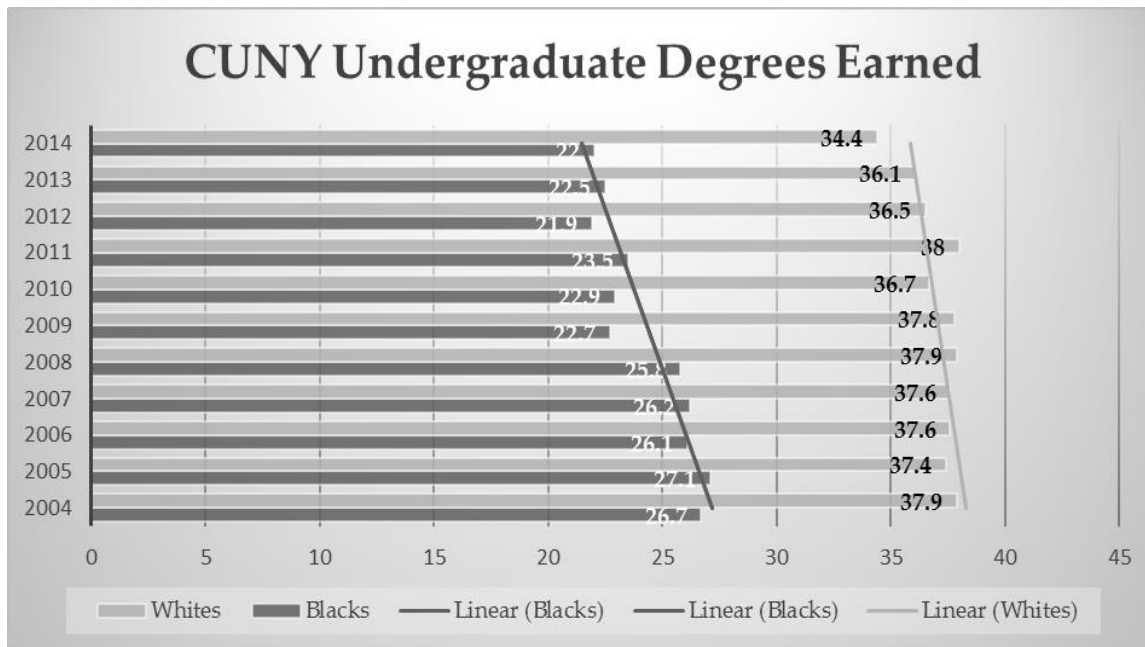


Figure 11. CUNY Undergraduate Degrees Earned – 2004 to 2014 * Integrated Postsecondary Education Data System * Includes All Bachelors' Degrees

The number of graduate degrees from CUNY from 2004 to 2014 shows a trend similar to the rate for CUNY undergraduate degrees earned with a proportionally large gap between Blacks and Whites. Much like undergraduate degrees earned, graduate degrees earned dip downward for Blacks in 2009 and moved upward for Whites. The downward dip for Blacks is greater for graduate degrees earned than undergraduate degrees earned. The upward move for Whites is greater for graduate degrees earned than undergraduate degrees earned.

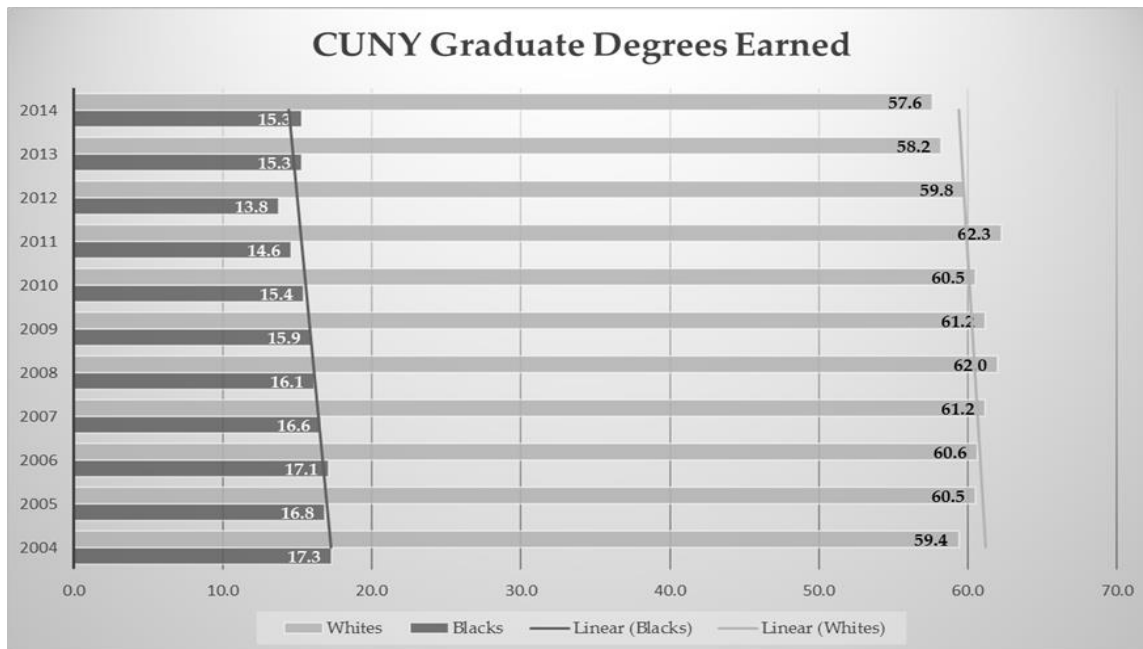


Figure 12. CUNY Graduate Degrees Earned – 2004 to 2014 * *Integrated Postsecondary Education Data System* * *Includes: Masters, JD, Master of Philosophy, Doctoral Degrees*

Educação em São Paulo Área Metropolitana (São Paulo Metropolitan Area Education)

Like the United States’ IPEDS comprehensively reports higher education data for all public and private institutions separately from the U.S. Census Bureau and its reporting umbrellas, Brazil’s Ministry of Education sponsors the *Fundação Universitária para o Vestibular* (FUVEST), which tracks and tabulates secondary educational data, including college entrance exam data. FUVEST compiles the *Questionário de Avaliação Socioeconômica Candidatos que se Inscreveram* (Socioeconomic Evaluation Questionnaire by Candidates who Signed Up) report. The report includes data for candidates by *carreira* (career or major if translated by U.S. academia terminology) in a university and sums the data by university system from 1980 through 2016. While including all Brazilian racial categories, the figure below is a compilation of Blacks and Whites taking the college entrance exam, combining *pretos* and *pardos* (black and brown) into one Black category. The results show Whites largely represent

USP campuses' entering population by an average of 74% from 2004 through 2014. The results also show Blacks were enrolled in low numbers in 2004, increased in 2005 and 2006, decreased from 2007 through 2011 but have been experiencing an upsurge as of 2014. The upsurge has not reached the highest rate achieved in 2006. The profile of Whites taking the entrance exam is a proportional mirror image of Blacks taking the exam over time. It is important to remember the Black population is increasing while the White population is decreasing in the City of São Paulo. This fact could be the cause for the increase in the number of Blacks taking the exam while the number of Whites taking the exam is decreasing. It is appropriate to state the students who have passed the USP exam actually enter the university since funding is not an issue. Therefore, it is also appropriate to state USP campuses' populations reflect the number of the people taking and passing the exam. Thus, the majority of the students enrolling in class and walking around USP campuses are White by a large margin, and Brazilian students who identify as Black (*preto*) or Brown (*pardo*) represent a relatively small sample of the total population in all USP campuses.

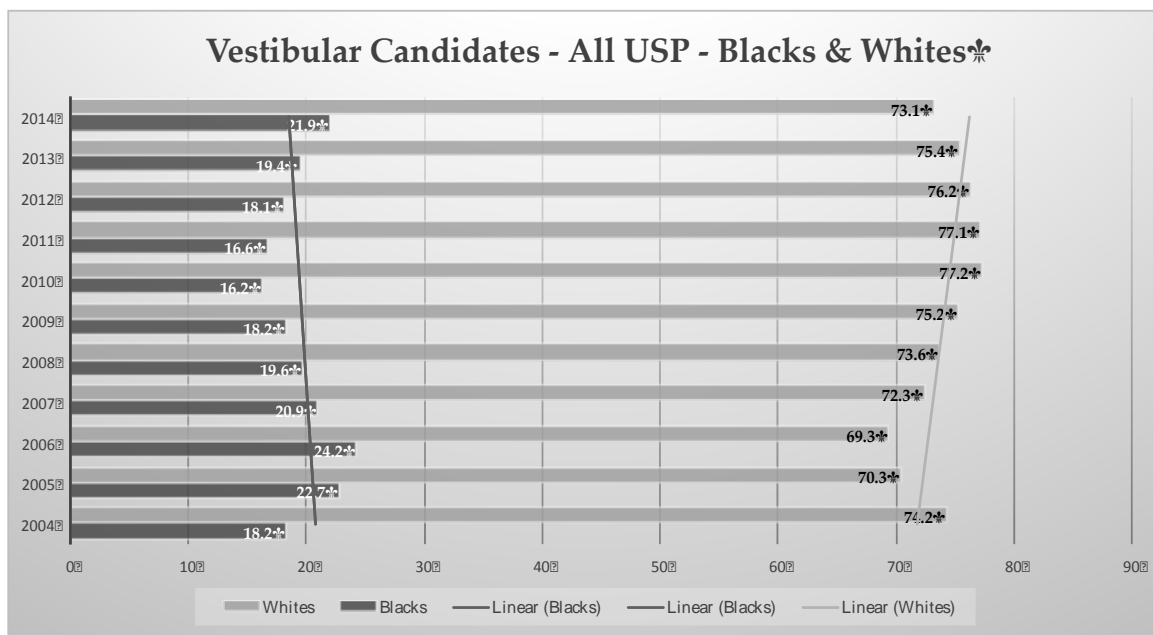


Figure 13. Candidates Taking the Vestibular: All USP Campuses from 2004 to 2014 *
FUVEST – Questionário de Avaliação Socioeconômica Candidatos que se Inscreveram Reports

FUVEST's data vis-à-vis race once students are enrolled is scarce. The data available in the *Instituto Brasileiro de Geografia e Estatística* (IBGE) with respect to race and education are tenuous. As mentioned earlier, a researcher can only rely on social indicator reports that have been tabulated and reported by race, and the raw data is not accessible for Brazil. IBGE reports school attendance by age group without specifying the corresponding educational tier. Based on the information concerning age range, it can be assumed the IBGE reports for 20 to 24-year-old students are more likely to be college students. The data compiled by race for this category is only available from 2002 through 2007. Since the study limits its findings to a time range from 2004 through 2014, the years reported in this study for this category are from 2004 to 2007. São Paulo has a number of private and public universities combined in the IBGE. The numbers for Blacks and Whites in the age group attending school is consistent with the data presented earlier from FUVEST where Blacks' attendance increases and Whites' attendance decreases from 2004 through 2007. But, the percentages of Blacks students between the ages of 20 and 24 are higher. A possible reason for this phenomenon is Black students could be enrolled in private schools, which have less stringent entrance requirements than public USP, a highly competitive institution.

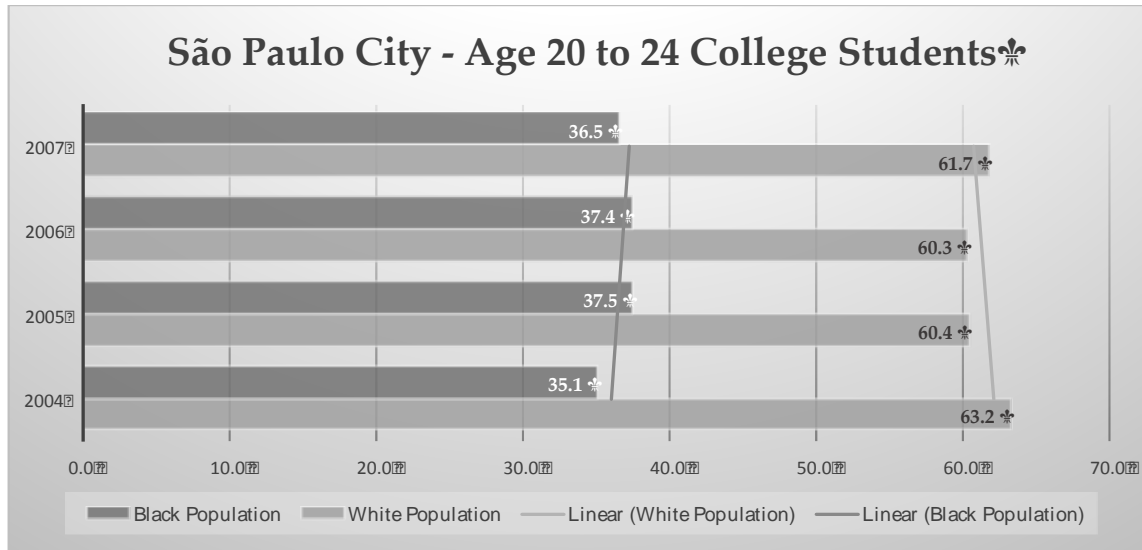


Figure 14. Age 20 to 24 College Students: São Paulo from 2004 to 2007 * Instituto Brasileiro de Geografia e Estatística – Social Indicator Tables & Reports

Conclusion

In New York City and the City of São Paulo, the American Community Survey and the *Instituto Brasileiro de Geografia e Estatística* suggest African-Americans and Afro-Brazilians earn the least and in the U.S.’s case, occupy service, administrative and construction occupations while Whites are more likely to be in management occupations and earn far more. When looking at third tier educational achievement, both the Integrated Postsecondary Education Data System and the *Fundação Universitária para o Vestibular* show African-Americans and Afro-Brazilians are not fairing as well as their White counterparts in CUNY and USP, publicly funded university systems.

While the data shows Afro-Descendants in both countries are obviously disadvantaged and that institutional racism could be a factor for why they are disadvantaged, the data is insufficient to understand how Afro-Descendants digest and respond to structural racism. Moreover, the data available show slight upward trends of college admission have occurred for Blacks, but those trends could be attributed to many variables. For example, in the case of the

U.S., consistency exists in graduation rates and economic outcomes data, reported each year over time, which can be analyzed and a case can be made that one racial group is privileged above the other.

In the case of Brazil, the data is scarce and inconsistent with respect to race as the State reports the data seemingly when they could be receiving international pressure to do so. As an example, after the 2001 World Conference against Racism brought Brazil's reportedly blatant racism to light (Hanchard 2001, Telles 2004, Skidmore 2010), race data became available by city, metropolitan area, state, region and nation. After 2007, the data began to be reported by region such as, South, North, etc., forcing any research project on race to be limited to Brazil in total. In addition, data for 2010 is not available. Coincidentally, The International Olympic Committee awarded Rio de Janeiro the bid for the 2016 Olympics in October 2009.⁵¹ The Fédération Internationale de Football Association (FIFA) announced Brazil would host the 2014 World Cup on October 30, 2007.⁵² Around the same time, the 2012 *Lei de Cota* (Quota Law) no. 12.711 guaranteed the reservation of 50% of enrollment for students coming entirely from public high schools, which were predominantly Afro-Descendant or poor students, to the 59 federal universities and 38 federal institutes of education.

The quantitative analyses presented indicate that disparities between Afro-Descendants and Whites in both the United States and Brazil abound, validating claims of institutional racism, a level of analysis in this study's definition of structural racism. However, the data does not reveal how Afro-Descendants feel or respond to perceptions of structural racism. The optimal course to gauge how African-Americans and Afro-Brazilians understand and digest structural

⁵¹ <https://www.olympic.org/news/media-resources>

⁵² <http://www.fifa.com/worldcup/news/y=2007/m=10/news=brazil-confirmed-2014-hosts-625695.html>

racism, particularly in liberal milieus, was to ask them. In the next chapter, I narrate the interviews I conducted with African-Americans and Afro-Brazilians at CUNY and USP since they are the experts with respect to racism. I also asked them about affirmative action in their institutions.

Chapter 5 – The Perversion of Structural Racism: The Deep Divide

“Since we’re always seen as the cleaning crew or people who don’t occupy positions that are seen as “intellectual,” we’re associated with smaller jobs. So, having lived through these experiences prior to entering the University and also during our time here, it becomes very evident that the professors, the university’s personnel, and our colleagues treat us differently for not expecting us to occupy that space.”

(Maria, *Universidade de São Paulo*)

Introduction

In this chapter, I present the qualitative findings of my study. I introduce the participants by city and discuss interview experiences. I unpack the evolution of the policy of affirmative action in the CUNY and USP university systems. Then, I focus on five main themes emerging from the qualitative findings. First, I examine how Afro-Descendants perceive the White hierarchy in the liberal spaces where they study, learn and work and illustrate how Afro-Descendants react to those perceptions. Second, I analyze Afro-Descendant males’ perspectives of criminality irrespective of being enrolled or employed in liberal spaces. Third, I discuss how Afro-Descendant females negotiate their gender and race in liberal spaces where they do not feel acknowledged or supported. Fourth, I assess whether Afro-Descendants believe the policy of affirmative action either has or will change their status within their home universities and beyond. Lastly, I review the intersection of agency and resistance from my respondents’ points of view. I conclude the chapter discussing the second level of analysis in the study’s unit of analysis: structural racism unit of analysis. The second level of analysis addresses how people of

authority wield their racist inclinations while touting that they and the liberal institutions they represent are not racist.

During my month long-stay in Brazil, I took the subway and bus to the *Vila Universitaria* – *Universidade de So Paulo* (USP). With the assistance of one of my participants, I was able to set up a make shift office at the *Núcleo de Consciência Negra* (NCN – Nucleus of Black Consciousness), where I conducted some interviews. I also interviewed respondents at their homes, at my home base hotel, in coffee shops and in restaurants. I interviewed 15 respondents, all affiliated with USP: eight students, Maria, Liliana, Marta, Isabel, Madalena, Yasmin, Marcos and Ruben; three instructors and students, Jorge, Daniel and Claudio; three administrators, Flávia, Carina and Helena, and finally Bruno, one of the very few Afro-Descended professors at USP (all names are changed to protect their privacy).

A few months later, I traveled to New York City to conduct interviews with 15 American Afro-Descended respondents affiliated with the City University of New York (CUNY). I report interview findings from 14 participants: six students, Terolyn, Ariel, Malachi, Carla, Ashley and Larry, all enrolled in three senior campuses—Brooklyn, Hunter and Baruch Colleges; four professors, Walter, Xavier, Lynn and Michael who teach at Baruch and Staten Island Colleges and the CUNY Graduate Center; and four administrators, Paul, Kelsey, Deborah and Charles at Kingsborough Community College (all names are changed to protect their privacy).

The City of São Paulo versus New York City: Different Interview Experiences

My interview experiences in the City of São Paulo and New York City were quite different but not for the obvious reasons. I had been in contact with participants via email prior to my arrival to Brazil but was apprehensive about being a stranger in a foreign land and not feeling

I was a competent Portuguese speaker. Also, I had been warned about the slow pace of Brazilian life and respondents' potential reticence to signing the required Institutional Review Board (IRB) form translated from English to Portuguese. To my surprise, the Brazilian respondents were excited to participate and tell their life stories. They willingly signed the IRB consent form, wanting me to forgo the full explanation of the form. They applauded me for speaking Portuguese, an exercise seemingly painful for them at times since I learned the language in a classroom over a time period of three semesters. More importantly, they trusted me with telling their life stories to a world who believes that Brazil is a racially inclusive paradise (Hellwig 1988).

While I had been anxious about my interviews in Brazil, I did not anticipate the same anxiety about conducting interviews in New York City. After all, I knew the language, and while the city may have been new to me, I was not a stranger. I followed protocol and reviewed the IRB consent form thoroughly, which confirmed I took my role as a researcher seriously and guaranteed their confidentiality. One participant was so concerned about the implications of his responses that he refused to sign the consent form, albeit he wanted me to record him. His responses are not part of this study.

CUNY and USP: Affirmative Action

In this section, I outline the emergence of affirmative action at CUNY and USP. The City University of New York (CUNY) reports that it is committed to maintaining a diverse and inclusive university community by adhering to President Johnson's Affirmative Action Executive Order 11246. Beginning in 2010, the Central Office of the City University of New

York initiated a yearly Executive Order 11246 Affirmative Action Plan (AAP). The plan calls for the hiring and enrollment of the protected class:

The “protected classes,” covered by Executive Order 11246, include American Indian or Alaska Native, Asian, Black or African-American, Hispanic or Latino, Native Hawaiian or Other Pacific Islander, and Women. Updated federal guidelines further expanded these protected classes to include Two or More Races. In addition to the following protected race and ethnic categories: Black or African-American; Latino or Hispanics; Asians; Native Hawaiian or Other Pacific Islander; Native American or Alaska Natives, and White— Chancellor Robert E. Kibbee expanded the protected race and ethnic class for CUNY on December 9, 1976 to include Italian-Americans. (p.5)⁵³

Despite their efforts, CUNY’s Office of Institutional Research 2014-2015 (see table 1) reports Whites are graduating with significantly more Baccalaureate, Master’s Advanced Certificate, Juris Doctorate, Master of Philosophy and Doctoral degrees than Asians, Blacks and Hispanics. To address this disparity, the university system has pushed for programs focusing on preparing underrepresented minorities for graduate school. The programs include: the Colin Powell Program in Leadership and Public Service, the Graduate Fellowship in Forensic Computing and Cyber Security, the National Urban Fellows at Baruch College –MPA Program, the Pipeline Program at the Graduate Center and the Pipeline Program at the Law School.⁵⁴

⁵³ <http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/hr/central-office-human-resources/FINAL-Central-Office-AAP-Federal-2016.pdf>

⁵⁴ <http://www.cuny.edu/admissions/graduate/diversityprograms.html>

	Total	American Indian/Alaska Native	Asian/Pacific Islander	Black	Hispanic	White	Men	Women
	N	%	%	%	%	%	%	%
Certificate	333	0.6	15.3	40.2	22.2	21.6	28.8	71.2
Associate	15,478	0.3	16.1	30.6	33.3	19.8	39.1	60.9
Baccalaureate	22,736	0.2	21.9	23.4	21.7	32.9	39.2	60.8
Master's	8,022	0.2	15.0	17.5	12.9	54.5	32.1	67.9
Advanced Certificate	654	0.0	10.2	13.1	17.9	58.7	30.6	69.4
JD	111	0.0	13.5	7.2	20.7	58.6	31.5	68.5
Master of Philosophy	291	0.0	15.1	7.2	7.6	70.1	39.5	60.5
Doctoral	500	0.0	17.0	7.4	7.2	68.4	41.4	58.6
TOTAL UNIVERSITY	48,125	0.3	18.5	24.4	23.7	33.2	37.8	62.2

Figure 15. Summary of Degrees Granted by Race & Ethnicity: Percentages 2014-2015 * CUNY Office of Institutional Research and Assessment – 12/30/2015

The Universidade de São Paulo

Though the *Universidade de São Paulo* is the most elite higher educational institution in Latin America and purportedly welcomes undergraduate and graduate students from all over the world, the university has been reluctant to endorse the 2012 *Lei de Cotas* (Quota Law).⁵⁵ USP takes the position that adhering to federal affirmative action quotas would compromise USP's international reputation of academic excellence.⁵⁶

Despite these challenges, USP purports to be committed to fulfilling its mission as a liberal space and to address the racial disparity between White Brazilians and Afro and Indigenous Brazilians. Therefore, the university implemented the Social Inclusion Program of

⁵⁵ CONSTITUIÇÃO FEDERAL [C.F.] [CONSTITUTION] art. 207 (Braz.) (The Law of Social Quotas does not address the degree of administrative freedom that state universities may enjoy under the Constitution. But the law does limit federal universities' autonomy by stating that a federal school: (1) may adopt specific or supplementary affirmative action policies; (2) develop specific quotas for native indigents; (3) create a system of general classification consistent with a quota program; and that (4) any institution that adopts different selective procedures must adhere to a quota system in each type of selective procedure.); see also *infra* Section IV(C)(1).

⁵⁶ <http://negrobelchior.cartacapital.com.br/por-que-usp-nao-tem-cotas-raciais/>

USP (INCLUSP), a program targeting public school students in order to enhance their chances of admission through a bonus factor added to their *vestibular* score.⁵⁷ However, that program was not enough. In 2015, USP joined Brazil's Ministry of Education's Unified Selection System (Sisu) program to reserve admissions spots secured by taking the *Exame Nacional do Ensino Médio* (ENEM - national college entrance test). The ENEM is modeled after the National High School Exam administered through the FUVEST portal.⁵⁸

The action, while well intentioned, did not increase college enrollment among minority students. USP's reputation has suffered with various student groups protesting against the university to institute racial quotas since the lion share of its enrollees and professors are *brancos* (White). Their protestations were heard. In 2016, the *Rede Minha Sampa* and the *DCE Livre* pressured the University Council to reserve 10% of its yearly admissions' slots to Afro and Indigenous Brazilians.⁵⁹ While the *Rede Minha Sampa* and the *DCE Livre* aim for the 50% racial quota, the university has reported that it will entertain the rate increasing to 30%, a rate commensurate with the demographic population of the state (see Figure 1). The racial categories in Figure 1 are telling. The indigenous (*Indigenas*) and Asian (*Amarelos*) categories are combined. According to the data, 1.5% of the population in São Paulo is indigenous and Asian, yet they represent 7.2% of the USP student population. Black (*pretos*) and Brown (*pardos*) people—most likely to be Afro-Descendants—represent 34.63% of São Paulo's population yet, as a combined group, they are only 16.3% of the USP student population.⁶⁰ This is a significant difference and highlights the need to address this problem.

⁵⁷ <http://www.prg.usp.br/?p=20737>

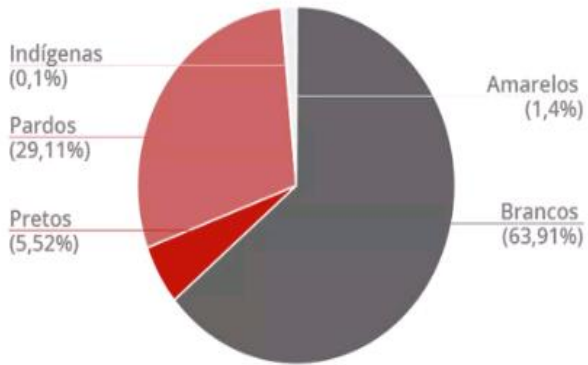
⁵⁸ <http://www.sisu2017.com/como-funciona-o-sisu-2017.html>

⁵⁹ <http://www.cotasnausp.minhasampa.org.br/>

⁶⁰ <http://g1.globo.com/educacao/noticia/com-sisu-n-de-vagas-da-usp-para-cota-racial-cresce-376-em-um-ano.ghtml>

População de São Paulo

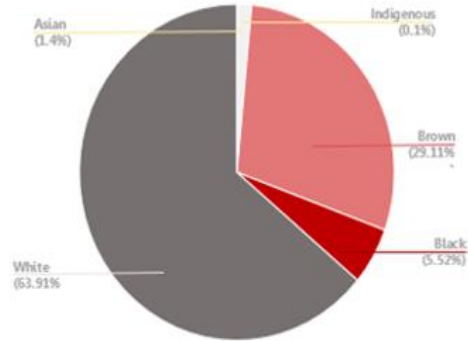
34,7% da população PAULISTA é preta, parda ou indígena



FONTE: IBGE (Censo 2010)

Population of São Paulo

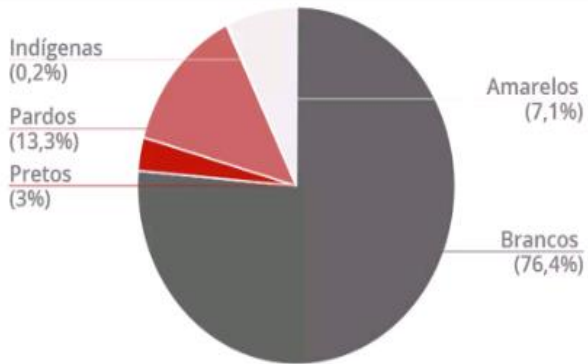
34.7% of the population is brown, black, or indigenous



SOURCE: IBGE (Census 2010)

População estudantil da USP

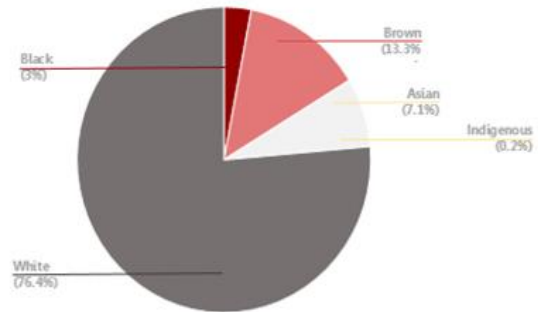
16,5% dos calouros são pretos, pardos ou indígenas



FONTE: Fuvest (calouros de 2016; os dados não incluem os aprovados pelo Sisu 2016)

Student Population of USP

16.5% of the students are black, brown, or indigenous



SOURCE: Fuvest (freshmen class of 2016; the data does not have the approval of Sisu 2016)

Figure 16. The City of São Paulo & Student Population Analysis – With English Translation

Coin Toss: Heads – Liberal, Tails – Racist

Over the centuries, education has been the gateway to secure equal social and economic footings. Towards that end, Afro-Descended Americans and Brazilians have sought access to tertiary educational levels in order to compete economically and societally and to reverse dynamics suggesting institutional racism constraining their ability to excel. Their hard fight has been successful as executive orders, laws and policies have secured their right to enter university

and colleges, spheres seemingly impossible to penetrate not that long ago. In the spirit of democracy and liberalism, American and Brazilian publicly funded universities and colleges, represented by CUNY and USP in this study, should be the quintessential liberal spaces (Dávila 2003).

The primary criterion to participate in the study was to identify as an Afro-Descendant, whether they were recent immigrants or had direct familial immigrant ties. I asked participants if they agreed that their affiliated university systems were liberal; the answers were overwhelmingly affirmative. At the same time, all participants collectively expressed that White faculty and administrators within their respective institutions treated them differently than their White counterparts. Students shared stories of discomfort when trying to relate to their White professors. Professors talked of their inability to get tenure or promotion as administrators due to their color and identification as Afro-Descendants. There seemed to be a general malaise and feeling of not truly belonging to the club among study participants. The participants' responses demonstrated the insidious nature of racism exacted by some Whites with positions of authority in milieus considered liberal and colorblind. The interviews gave a possible voice to the quantitative data showing institutional racism at work.

CUNY: New York City

In the New York City CUNY system, student participants expressed different points of view regarding the liberal nature of their institution than faculty and staff participants. The faculty and administrators articulated the liberal nature of their institution in an academic nature. During our interview, Deborah, an administrator who has worked for CUNY for nine years, revealed her familiarity with the system's liberal mission when she cited the history of CUNY's

founder Townsend Harris and his liberal mission statement. Deborah holds two bachelors' degrees, a Master's degree and is currently a doctoral candidate at an Ivy League College. Her credentials suggest that she would be on an upward trajectory at CUNY, considering the system's firm commitment to diversity and inclusion through race-based affirmative action. Lynn is a former department chair in the CUNY Graduate Center with an impeccable pedigree, having earned a Doctorate of Philosophy from one of the highest ranked universities in the United States. Lynn also articulated that the CUNY system was in fact very liberal.

Deborah and Lynn made similar observations regarding CUNY's liberal nature and how they are perceived and affected by a White hierarchy leading their institution. Deborah started her employment in CUNY's Information Technology department as a special assistant to the Executive Education Officer. Her stellar work was rewarded with a promotion to Director of Finance Administration. Following her fiduciary responsibilities, Deborah found fraudulent transactions and refused to sign particular financial statements when asked to do so. As a result, she was demoted to her current position as the coordinator in an academic department. In her current position, Deborah interfaces with students and the department chair and faculty. After asking an introductory question about her experiences as an Afro-Descendant, I asked Deborah some follow up questions:

Alexis: Are faculty supportive of their students, irrespective of race?

Deborah: The chair of the department was recently interviewing some perspective faculty members, and in the middle of the interview, he told one of the prospective faculty members do not get their hopes up too high because of the demographic of students that are here and said that they will not be as smart as what he's used to. To me, that was hurtful because the demographic that he was referring to is, of course, the large majority of Black and Latino students. To see how the chair of the department can signal to

another faculty member that our students aren't as intelligent as the school he came from makes me think that the faculty has their own bias.

Alexis: Can I confirm the ethnicity of this chair?

Deborah: He was a white male.

When I asked Lynn if she felt supported by her department when she became chair, she responded she did not think so. Lynn admitted the system had so sufficiently failed her that she opted to secure employment in another state. I probed more to understand Lynn's issues with tenure and promotion at CUNY:

Alexis: Did you have any problems getting tenure or promotion?

Lynn: Yes, when I was being hired, I was under the impression that they understood all of the experience I had in this field. When I was hired, they told me that I could go up for tenure whenever I want, but they would need a few student evaluations. When I tried to go up, I was told that I didn't have permission to.

Alexis: How many Black faculty were there, including yourself?

Lynn: Very few, there is me and another woman. We hired one man, so in total, there were about three.

The male respondents had comparable feelings to Deborah's and Lynn's. Xavier, a tenured faculty member for more than 30 years, cautiously responded about the faculty tenure and promotion process:

Xavier: You could make the argument that people that look like me are not putting in the necessary work but that is not realistic. There is an example of one of my colleagues who is African-American that currently has two books he has written. When it came for a promotion, the promotion went to a Caucasian man who only had one book.

When I asked Michael, an assistant professor who has published a book and a few articles, about getting tenure, he stated:

Michael: I would like to know exactly what they expect of me. I feel like it's never, [hum] not really clear. It is like leadership can be unclear on purpose regarding tenure and promotion. I feel like it's not completely clear. Do they need research? Do they need publications? I have those. I think that a lot of stuff is hidden. You, we, have to really get to the bias and think about whether a person wants to help you in the process. The leadership is White and I am black so...

Michael also alluded to the potentially veiled racism that could stop him from getting tenure and promotion under White leadership that insists it supports him.

Charles, a high-ranking administrator, responded to my questions in a puzzling manner at first, but over time, I realized that he may have been sending coded messages. When I asked Charles about his experiences as an Afro-Descendant, his original answer was:

Charles: I haven't experienced any obvious racism, and I've never felt anything negative for that matter. If there's any mistreatment, it's equal mistreatment.

Pressing further due to his vague answer, I asked Charles what he meant by obvious racism; he answered:

Charles: I mean you just don't see any racism anywhere, and if it happens, it's buried because it is not accepted on this campus.

Answers notwithstanding, Charles referred me to several people I could interview who had experienced overt racism at CUNY. Larry, a graduate student, was one lead. I asked Larry if he

knew Charles had referred me to him and how Charles may feel about structural racism at CUNY. Larry stared at me and said: “He can’t get tenure; he’s administration. He has to be careful about what he says; if not, he will be fired.”

The undergraduate students I interviewed did not express any feelings of discomfort within their colleges. However, they collectively expressed feeling some of their White professors could dismiss them at times and showed favoritism towards White students. Malachi, an undergraduate student with an undeclared major, was one undergraduate respondent.

Alexis: Do you feel supported by the school?

Malachi: At this moment, seeing as I started the summer of this year, I would say yes and no. It's kind of difficult to receive a straightforward answer from some of my professors I've spoken to personally.

Alexis: What do you mean yes and no?

Malachi: Well, I get answers from them sometimes, but it seems forced. Or they don't answer at all. They always take care of my white friends.

Alexis: Would you say the professors are White or Black?

Malachi: They are all white.

Alternatively, Larry, the graduate student, articulated anxiety as an Afro-Descendant in his program and with administration:

Alexis: How do you feel as an Afro-Descendant at CUNY?

Larry: I have to do better than everyone. I feel like they think I am too stupid to be here. Even though I was the top of my class in undergrad, I had to fight to get a scholarship.

Alexis: How did you have to fight for a scholarship?

Larry: They tried to get me by making me go to school during the day. I said I worked during the day. They said the scholarship was only for fulltime students. I told them I was a fulltime student who worked fulltime. They did not believe me and didn't grant me a scholarship. Had I been white, they wouldn't have questioned and denied me like they did.

Larry was not offered the same scholarship opportunities as his White counterparts. Larry also found his institution's administration dictated the number of classes he could take, stating he may need to be put on a remedial track irrespective of graduating at the top of his undergraduate program. When Larry asked for clarification regarding the classes, they could not answer him. In the end, Larry had to fight to take the class he wanted by seeking an intervention from a tenured Afro-Descendant professor he knew. The professor "did him a favor and squashed the whole issue." Larry also found his professors summarily believed he could not do the work even though he demonstrated, assignment after assignment, he could and did the work.

USP: São Paulo

My interviews with faculty, students and administrators from USP shared a number of similarities with the U.S. respondents. However, they differed along dimensions that will be discussed in this section. According to the QS University Rankings for 2016,⁶¹ USP is the best university system in Latin America; Brazilians dream about going to school there. It is considered the Harvard of Brazil. To that end, the Brazilian participants in this study shared their original fantasies about USP and how those fantasies were thwarted. When I asked Jorge, an instructor and student about starting at USP, he responded: "I was thinking I'm going to the

⁶¹ <https://www.topuniversities.com/university-rankings/latin-american-university-rankings/2016>

paradise city.” Isabel, a journalism student, responded more expansively: “For me, USP is a kind of ideal place where, after you get in, everything will change for the better. Like a paradise.”

Ruben, a dental student, divulged his expectation of USP:

Ruben: Before, I was thinking about USP as a perfect place. I thought it would be a perfect place to think and talk about politics and to be yourself. USP is so prestigious, so I was hoping it would be different from what it is.

Ruben’s response revealed that USP’s status as a paradise was a fallacy. All the participants experienced an unexpected sense of exclusion and overt/covert discrimination by their White peers as well as the university’s White faculty and administration. In terms of feeling excluded, Jorge explained:

Jorge: First of all, I’m one of the only black person in class. So, when I enter the class, I’m “the Black.” So, people look at me, at my hair. And the different treatment starts here. They know who I am. And they don’t know who I am because I’m a smart guy or because I’m a good student or a bad student. They know who I am because I’m the Black student.

Madalena, a history student, made similar statements:

Madalena: I felt like I didn’t belong there. I didn’t belong because of both class and race. When it came to class, it was because I didn’t have as much money as those people; and when it came to race, it was because as I walked in a classroom, I was frequently the only black person in class. And it was really easy to tell. Like, people are not really welcoming in USP, they closed up in groups among themselves, and I was left alone. So much that, in fact, during my first month, I didn’t go to USP for two weeks because I felt inferior; I felt I wouldn’t make it; I felt like I wouldn’t make friends, these types of things.

Daniel, a literature student, added a new dimension to his reception at USP:

Daniel: I'm still starting off my degree here, and I'm somewhat new to the university...

Structurally, we know that, in theory, there aren't any differences among white students and Afro-Descendant students; but on our day-to-day, we notice that there are differences on the account of the professors. The way we get treated when we try to give our opinions, or even in the hallways, you can tell the employees look at you differently when you walk by.

Jorge, Madalena and Daniel described USP as a place where Afro-Descendants do not have a rightful place. Having heard the responses, it became evident racism at USP is not necessarily an individual enterprise but is structurally racist. USP appears to foster structural racism from the top down with flagrant verbal utterances made by USP figures of authority within the system. Marta, who divulged she is one of a very small group of Afro-Brazilians in USP's engineering program due to the rigor of the engineering *vestibular*, declared:

Marta: I had an experience a few days ago where the president of USP was holding a conversation with me and other students. We had a lot of students and they asked questions. All the students that were there were engineering students. I asked my question, and when the president answered, the first thing he said was "are you supposed to be here?" When you talk with the black students, we always heard this type of experience and it is very difficult.

Marta described an obviously racist experience. The president of the school openly identified Marta as an intruder because she has black skin. Other students depicted less obvious but just as damaging situations. Maria, a law student, Yasmin, an education student, and others talked about the consternation they experienced just entering the university. Maria explained:

Maria: Ok. The University I study at is public, so it has a security system. Nevertheless, the security cannot forbid you from entering the space. Once, I was in the university and some white people were entering the building. As they passed by the security, he did not ask them for their identification. But when I tried to enter the building, he asked me for mine because one does not expect a black person to belong at that place; even when well dressed, it doesn't matter. The difference is due to our skin color. As he asked for my identification, I confronted him and asked him why was he asking for only my ID when he hadn't asked for anyone else's ID. And he didn't know how to answer me.

Daniel had the same experience coming into USP:

Daniel: But, for example, there's issues at the entrance of the building. There's always a security guard at the lower half of the building, and one time while I was entering the building, I asked him a question, and he treated me in a harsh way. He was talking to another person at the same time, and they were also asking a question, but he treated them in a completely different manner. They were a non-black person.

While Marta's experience would be perceived as obviously racist from the perspective of an Afro-Descendant, White students and faculty nearby did not express feeling offended, according to Marta. On the other hand, had Marta reacted negatively to the President's comment, her White peers may have described her reaction as overly sensitive. Marta knew this, so, she opted to respond politely and unemotionally by stating she was an engineering student and asked her question in a non-threatening manner, so as to not bring any more attention to herself.

Manifestations of exclusion and rejection are not only specific to entering USP. They are exhibited in class. All of the participants who are students expressed great discomfort being in the classroom. Ruben conveyed how he felt around faculty who are predominantly White:

Ruben: I feel like since the beginning, they doubt me more than others and try to find something wrong. They think that I am cheating. During the clinics, when I do something well, they try to do it again; it doesn't happen with my White friends.

Jorge shared the repercussions of discussing matters that relate to Africa:

Jorge: I was presenting a seminar about black people, black culture. I was talking a lot about white people. And my professor was white. My group, who presented the seminar with me, all got good grades, but I failed the class. I had to take *recuperação*.⁶²

Maria provided the most salient response regarding how she was perceived by her professors:

Alexis: Do the White professors treat you differently?

Maria: Yes. How do I notice that difference? First of all, people - White people - don't expect you to be there, and they are also surprised when they notice you are just as knowledgeable as them, which shouldn't be surprising at all since we all got accepted to the University. It's when you arrive somewhere, and you say something, and they are surprised by what you said. "Wow, but, did you study?" "Wow, I didn't expect you to say that." Because people don't expect a Black person to know how to communicate or to possess any sort of intellectuality. It's not expected. And you know that this happens because you're Black. It wouldn't happen if I were white, because I'm not surprised when someone else my age [who is White] is as well-spoken as I am or can dominate words like I do. But people are surprised by me all the time. "Wow, you can speak so

⁶² The word *recuperação* in an academic environment is when you don't get enough credit to pass a class, but then you can do extra work to get some extra points.

well” or “Wow, where did you go to school?” And those same questions are not frequently directed to White people, you know?

While the students’ accounts are endemic of a culture of exclusion and discrimination, one could respond by saying their reactions are subjective. I witnessed an exchange legitimizing the students’ feelings of exclusion. On a cool Wednesday evening, I met Flávia at the *Núcleo de Consciência Negra* (NCN – Nucleus of Black Consciousness) for her interview. The NCN offers preparatory classes for the USP *vestibular* to poor and Afro-Descendant Brazilians for a nominal fee, which is often waived. *Vestibular* prep classes usually cost several hundred or thousand *reais* (Brazilian currency), amounts poor and Afro Brazilians cannot afford. Sixteen White instructors were meeting in the courtyard adjacent to the center’s front door. They were discussing the administration and mission of the center. Flávia was distracted from our interview as she began listening to the instructors’ dialogue. She excused herself and joined the group. She began to argue with the group in a very soft yet stern voice. Listening to her, I discovered she had worked for the center for more than 20 years and was considered one of the center’s founders. The instructors were trying to change the center’s mission and Flávia rejected their claims and suggestions. After the heated debate went on for roughly 30 minutes, Carina, an instructor and a study participant scheduled to speak with me after Flávia, walked in. Carina heard the arguments and headed directly towards the group. She sat down and supported Flávia, who informed the group they needed to instruct incoming preparatory *vestibular* students, and not get involved in deciding the mission of the center.

One of the White instructors began explaining the plight of Afro-Brazilians and spouted off information about Brazilian slave history. Flávia’s calm behavior came to an end. She pointedly informed the instructor that he knew nothing about being an Afro-Brazilian.

Furthermore, she would not be told about her ancestry and position in Brazil by a uniformed, privileged White Brazilian. In this case, Helena, another study participant and one of the founders of *Núcleo de Consciência Negra* (NCN), and Flávia hired the instructors, yet the same instructors felt comfortable challenging the center's original mission by making it "better." The privileged instructors took ownership of an enterprise that is not theirs. But Flávia and Carina foiled their efforts by reminding them that their White privilege did not qualify them as experts on Blackness in Brazil. Instead, Flávia and Carina's quiet and clear retort put the instructors back "in their rightful place."

However, one of the instructors would not retreat. He began arguing loudly with Flávia to the point that his statements became offensive. He expressed having the right to challenge her and the center's direction. He caused enough raucous that Flávia excused herself from the meeting after shutting him down. The ensuing actions were very interesting. The other instructors followed Flávia after the loud White instructor left, and apologized for his behavior. It seems they did not want the instructor to know they took Flávia's side. This experience is very important to share as it specifically speaks to the "liberal/racist" coin at USP. White instructors hired to teach *vestibular* prep courses felt compelled to make decisions about the purpose and destiny of a center, which was founded to assist USP's Afro-Descended and poor Brazilian students. The white instructors felt entitled to argue against their black colleagues based on their, perceived, superior knowledge and understanding of a situation, or, in this case, an educational approach. This incident is so telling because the White instructors all overtly support special courses that aid underprivileged black students, yet apparently, they do not perceive their black colleagues as equals. Their actions reveal deep race, class and gender bias among progressive

whites. As such, the above situation symbolizes and represents the hidden bias of many self-proclaimed liberals and progressives.

Perceived a Thug, Always a Thug...

In Brazil and the United States, Black males are systemically perceived as predisposed to criminal behavior (Smedley and Smedley 2011, Hanchard 1991, Skidmore 2010, Telles 2004). A common theme emerged about the perception of Afro-Descendant male criminality during my interviews in New York City and the City of São Paulo. When Claudio, a USP Geography instructor and student, explained how he decided to identify as an Afro-Brazilian, he disclosed that he is perceived as a criminal:

Alexis: Do you identify as an Afro-Descendant?

Claudio: Yes

Alexis: Does that surprise people?

Claudio: Yes a lot, because my skin is light.

Alexis: Do you choose to identify as an Afro-Descendant?

Claudio: Yes, because people don't say I'm an Afro-Descendant, but will treat me like one. When I walk in neighborhoods like USP, people run from me and think that I will steal from them. What proved that there was something different about me is when the USP cops kept stopping me. Once, I was walking a cop stopped me just for pleasure due to my skin color. That was the real proof of my identity.

Though Claudio's remarks obviously addressed the subject of perceived criminality, Daniel intimated similar sentiments when he talked about entering USP and being "carded" like a criminal. Marcos, a transfer student from a federal university, discussed

how he was perceived as a criminal and rejected from USP's housing unit because he was Afro-Brazilian.

Crime and New York City are often synonymous. In 2015, New York City Police Commissioner William J. Bratton issued the yearly Crime and Enforcement Activity in New York City report, synthesizing various types of criminal complaints and arrests by ethnicity. According to the findings, Blacks were reported to have the highest percentages of victim/suspect/arrestee instances compared to all other racial groups (American Indian, Asian/Pacific Islander/White/Hispanic) in every crime category.⁶³ Understanding those statistics, I expected to hear my male New York City student participants describing similar encounters as my Brazilian male respondents.

Malachi compared himself to the many Black men who have been reportedly murdered by the police all over the United States. When I probed him further about being a student in a liberal space, Malachi explained that he was well aware he was viewed as a criminal in the street, but not walking around campus. He explained that CUNY campuses are melting pots and not like other campuses with clear boundaries, which may have been why he did not feel that he was viewed as threatening while attending classes.

Paul is a high-ranking administrator with teaching assignments who graduated from the CUNY system and is a Ph.D. candidate at an elite university. Because of Paul's international experience, he has been assigned to study abroad programs. Although Paul was heavily recruited by CUNY, he explained that he was often leery and cautious of White students, faculty and administrators. When I asked him to give me more details, he divulged a White female student accused him of sexual harassment during a study abroad

⁶³ http://www.nyc.gov/html/nypd/downloads/pdf/analysis_and_planning/year_end_2015_enforcement_report.pdf

experience in the past. Paul discussed occasions where he had seen White male professors have open affairs with their students without suffering repercussions. In his case, the mere allegation triggered a university investigation that continued even when other students attested Paul had no dealings with the alleged victim. Paul's testimony seemed like a script from a movie. Paul stated he must always keep in mind he is an Afro-Descendant as a mechanism to "check his own behavior so that he is never misunderstood and doesn't land fired or in jail."

Jorge compared the violence against Black males between the United States and Brazil. Not only did he acknowledge structural racism in Brazil, but he acknowledged its existence in the United States in the realm of police brutality:

Jorge: I look at the historical scenes featuring the Black Panthers when they arrive with guns to face the police, when they armed themselves. If that were to happen here, I have the feeling that we would be exterminated. I have the feeling that if a group were to arm itself in Brazil, it would be exterminated. I can't say that for sure, but I'm under the impression that our police is more violent and that our structure is even more violent in general due to the fact that the black population is proportionately larger. It's more structured in a racist way.

I'm Black, I'm Woman, I Am Nothing... Or So They Think!

For me, one of the saddest aspects of conducting interviews was realizing how some participants fully comprehend they are invisible in society because they are women and Afro-Descended. Yet, while they know they will be excluded or blatantly discriminated against, these women knowingly or unknowingly resist their realities.

Carina is a junior technician in a private firm in the City of São Paulo in addition to teaching at USP. Carina has worked for her company for several years as a third party contracted employee. Every time she has tried to secure a fulltime position with the private firm, Carina has been passed-over. When I asked her why, she stated it was due to her skin color. Carina is one of three Afro-Brazilians working for the company of more than 400 employees. She has a degree in Information Technology.

Alexis: Why don't you have a job in IT?

Carina: Even though I was always one of the three best students in my class, during both technical school and college, I've never managed to get a job in IT. I could never work with IT. My class colleagues worked, but not me. The only time I ever got a job in that area, I was a typist. I only typed, there was nothing related to "*metal*⁶⁴". I could never find a job with precisely that.

Alexis: Why not?

Carina: Because I am black.

Alexis: Can you tell me your experiences as an Afro-Descendant while working and while at USP as an instructor?

Carina: At work, I'm outsourced. How can I put this? The company, in this case, USP, hires another company to perform the services. I'm hired by this second company, but still have to attend meetings here at USP. And when I come to these meetings, I look around the office, and there's like 60 or 70 people there, and they're all white. Everyone is equal; everyone is white. I am the only black.

Alexis: Did you get hired fulltime?

⁶⁴ The word metal refers to hardware work in IT.

Carina: My boss here tried to hire me. Everything was fine until Monday when something happened, and now I'm not being hired. Like I said, I was undergoing a process to become an employee, so I had an interview with Human Resources. So we started talking, right? The usual things, what do you do, etc.? In the middle of the conversation, the interviewer stopped and said: "I have to say something. I'm really happy you're here. There is never any black people who are called to interviews." She was white, blonde. "I hope everything works out for you," she kept saying...

Alexis: What? What did she mean? (I apparently made a face)

Carina: My facial expression was just like yours, and then she took out her phone and showed me a picture of her fiancé, who was black. And she goes to gatherings.

Alexis: Black gatherings?

Carina: Yes. So she started talking about racism.

Alexis: How did you respond?

Carina: She was the one who brought up racism; she started talking about colorism; she even mentioned that there's no such thing as "*moreno*," that all black people should be considered black...So the interview was really interesting, you can see the side of the interviewer. So, here we go again.

Alexis: So, you did not get the fulltime job. Can you get promoted at your current job?

Carina: On Monday, I got the "no." And everyone was like "why not?" Even my bosses were like "why not?" And my bosses believe that next time the promotion will happen. But there are other people above them. There's a hierarchy. Who knows if those people haven't already blocked the promotion process? So, on Monday, I cried a lot. I really cried, you know.

Alexis: Back to your experiences. Have you felt overtly discriminated against at work, and if so, did anyone do anything to fix it?

Carina: There is a co-worker, a guy I work with. The company I currently work at doesn't let us stay in the same room.

Alexis: Why not?

Carina: Because I said I could never work with that racist person. I was tired of hearing racist things he said about me. So, I had to go up to the hierarchy. In my opinion, they should have fired him. But, they just removed him from the office and put him somewhere else, so we're not in the same room.

Alexis: Why do you think he was not fired and how are you treated by your bosses?

Carina: They are racist too. How? I know my salary is not the same. My salary is not the same. Do I do the same tasks? Yes. In fact, I'm a team leader. And still, some people there have bigger paychecks.

Carina understands she is passed-over, year after year, and does not get paid the same as her White counterparts. Yet, she refuses to give up her Blackness. She wears her hair in a natural Afro as many other Brazilian participants, which is her way of rejecting the notion she should alter herself to appease her company's leadership racist outlooks. Instead, Carina, like many other participants, have opted to attend or return to college, USP in particular. They attend or return to learn more about their history so they can familiarize themselves with why they are treated as inferior beings in a racial democracy allegedly not having a "race" problem.

Alexis: What made you go back to college?

Carina: As I said, I always had a lot of issues and questions. And my adolescence was during the dictatorship. So, the education I had, during that time, was the type of education where there isn't room for asking too many questions. I studied in public schools, mostly, and the History curriculum didn't exist. So, I came here to study History, my history.

However, upon arriving at USP, these women's faced numerous trials. Madalena summarized how she has assimilated to being an Afro-Brazilian woman at USP:

Madalena: First of all, I think it's something that is built in our youth that when you go off to university, everything will be fine. I don't know why society does that with us, but I think that one of the things is that there was way too much racism and sexism, and it is very hard to elaborate those things. You only feel sick and depressed until you find another Black student that shares in your struggle.

Marta knows she faces an uphill battle finding a job as an engineer, but she is hopeful due to the network she has developed. When I asked about her future job opportunities, Marta stated:

Marta: I don't know. In the last semester, I was looking for a job, and it was so difficult. When I talk to other black engineers, they really have a hard time. I think it's more difficult for black people because I have a friend who has a good resume that was looking for a job for a long time. She is black, and I really think that she is really good; she speaks three languages and she can't find a job as an engineer. I am... For some time now, I have been following a few of my black friends who are graduating, I think it's been a year, and I see that they have some difficulty, you know?

A number of New York female respondents shared similar concerns. Terolyn, Ariel, Carla and Ashley, all undergraduate students, expressed feeling well received in their home colleges. However, when asked about their careers once they graduate, their responses were remarkably similar. They would all have to work harder than everyone else; they all know they would be bypassed if they were competing with White counterparts, and they knew they would always be last. Nervously laughing, Terolyn summarized by stating she "would get the short end

of the stick for sure.” Ashley remarked that while she knew she was fortunate to be in college, she realized she could easily be among the other Black women she sees:

Ashley: One of those Black women who serves us food in the cafeteria and can never do any better.

Ariel, an arts student, made the following statement about watching Black female servers working in the cafeteria:

Ariel: I know that's how things work, and I know that's how things are around here. It's possible that I could do just what they are doing after I graduate.

A number of the New York female respondents knew how to manage their lack of opportunity by taking on different personas. Kelsey, an administrator who has received a number of promotions at CUNY, knows she must sequester any notion of Black pride to get promoted. She has seen some of her female colleagues' careers stagnate based upon their attitudes and “Black” stereotypical behaviors. Kelsey divulged she learned to navigate arenas where she is judged because she is an Afro-Descendant person working for CUNY.

Alexis: What are your experiences as an Afro-Descendant in the CUNY system?

Kelsey: I had been able to navigate this arena, and I really do think this is the culmination of my past experience. I'm very aware that there are black women who do not navigate this arena in the same way I have been able to. I am very aware of that and so I think that there is frustration the other people may feel. I totally understand why they have been. I just kinda figured it out a little bit and that just has to do with another skill set that I can't put on my resume or anywhere. I've learned how to make it work okay. That's not to say that problems don't exist, but it's harder for me to pinpoint the exact examples. It is not

that it doesn't happen; it's just that I feel like it happens, and there is a certain level of savviness that comes with dealing with this issue. I am very aware that other people would not have to navigate those circumstances who are White. There are certainly many meetings where people respond or react in certain ways. I think people do react to me or things that I say, and I go in like I was a man. I've had those moments with very senior people at the college, but I don't care. But I know how to then go around and still move forward. And yes, I would agree that this college and the system is considered to be a liberal space.

Kelsey gained experience assimilating to a Eurocentric culture while she attended an elite college. The experience has allowed her to neutralize any negative stereotype White leadership may have about Afro-Descendants as well as accelerate her professional trajectory by relying on Eurocentric cultural assimilation.

Affirmative Action “Cota” Is the Answer! Or Is It?

Affirmative action has been in place for several decades in CUNY and for a very short time at USP. All of the Brazilian participants conveyed the importance of affirmative action quotas in all universities, USP more specifically. Ruben was the only one who admitted feeling negatively about affirmative action quotas before he entered USP. As he has maneuvered through the administrative quagmire of the university, and the subtle racism doled out by faculty members and some of his White peers, Ruben changed his mind and made the following statement when asked about his thoughts on affirmative action:

Ruben: I think it's the only way to have more black people in school. Before 2009, I did not agree because I was not thinking about this problem, the short number of black people in university. I was not thinking about the people in public schools.

Ruben has come to realize that affirmative action is the only way for Afro-Brazilians to have greater representation at USP. Maria, the law student, speaks eloquently about the benefit of affirmative action and is cautiously hopeful:

Maria: Black people are the minority of the students who are enrolled at my university. On the other hand, in the past 13 years, we've seen an increase of black people enrolling at the university due to the affirmative action policy. However, since USP is a state university and the policy is federal, the university hasn't adopted the racial quotas. It's a different sphere of power. I particularly noticed that a larger amount of black people have enrolled, but it is still not enough considering our participation in population. But there have been improvements, and they need to be solidified and deepened in order for us to be more present in the University. By being more present, I believe we will be, in the first place, diversifying the space we produce knowledge in, and that alone already brings new perspectives to the University. It changes the research and the science made here. So, I believe the university can only win by diversifying its space.

In New York, CUNY respondents expressed various opinions about the purpose of affirmative action. The CUNY students were not aware of affirmative action as a method to diversify the student population. All CUNY employees, whether faculty or administration, clearly articulated an understanding that CUNY followed a firm affirmative action policy, but also expressed they thought the policy was deceptive. Walter, an associate professor, verbalized his dissatisfaction with the policy:

Alexis: How do you feel about affirmative action?

Walter: Affirmative action is dead; they don't enforce it; it's just a whole lot of public relations. You go to every branch of CUNY and all you see of affirmative action is Black and Latino people running uninformed offices and not getting anything done.

Alexis: Are you going to become full professor?

Walter: I will never be full Professor.

Alexis: Why not?

Walter: Any measure you take has contrary side effects.

Walter expressed pessimistic feelings about affirmative action, relating to his ability to get promoted to full professor. Walter realizes how affirmative action will not assist him with promotion. Deborah stated her thoughts on affirmative action concisely:

Deborah: I don't think affirmative action has benefited me in any way at this institution. While I am aware that when I was first hired, I was one of the few higher education assistants or officers of color, I think it created a situation where the minorities tend to have way more education than their white counterparts. So you might have one or two higher education offices or systems that are people of color, but when you compare it to the number of I guess non-minority people, it's still overly at the senior level, overly represented by particularly white males. I also think it's a gender issue, but that's another conversation. When we did have a female president, her cabinet was quite diverse; there was more female representation, and at that time we had a female president, we also had more women of color, but since she has left and in the last I believe two years that we've had a different president, the cabinet has been transformed, and I believe there may only be one female Italian-American, which is considered a protected class here at CUNY, and we have another woman of color who I believe is director of communications, but a lot of

the other positions have been filled by white males.

Deborah showed how affirmation action is in place, yet her ability to excel professionally is not possible as an Afro-Descendant woman. In addition, Deborah explains who benefits from the policy at CUNY. Paul, who has successfully penetrated the CUNY system as a high ranking official, explained how he sees affirmative action:

Alexis: In your experience in the system, what can you tell me about CUNY's affirmative action policy?

Paul: They currently advertise their diversity statements and their commitment to affirmative action. Now, while it's advertised and the information is disseminated, when you really look at who becomes tenured faculty at CUNY and who actually reaches to the ranks of senior administrator for instance, the Dean or a vice president, it isn't diverse at that level. People of color are overly represented in adjunct positions when it comes to the teaching side of the house and in finance administration I would say we have a lot of civil service positions, so a lot of the secretarial staff, of course maintenance staff those areas we typically find a lot of people of color. But not tenured faculty and high ranking officials.

Deborah's, Paul's and Walter's voices show that affirmative action is in place at CUNY, yet Afro-Descendants do not have positions of authority. According to the professional and faculty CUNY participants, while they are familiar with the policy, they are not convinced that the policy is serving Afro-Descendants. In addition, Paul illuminates how, affirmative action notwithstanding, Afro-Descendants are overly represented in lower level positions.

Structural Racism: Awareness, Agency and Resistance

CUNY and USP participants acknowledge their disparate treatment through active and passive voice, realizing the policy of affirmative action may be needed but is not presently working in a manner to counteract White institutional leadership promoting structural racism. All participants are aware and carry out forms of resistance.

Awareness

CUNY and USP participants collectively pointed out that they are aware that structural racism exists, experiencing its effects every day. However, they expressed their grasp of structural racism differently. All Brazilian USP participants verbalized their understanding of structural racism as if they thought about it in every aspect of their day-to-day lives. Three participants' responses were poignant. During my interview with Flávia, she relayed:

Flávia: In Brazil, the black population is around 53%. And we've been fighting against this situation for a long time. Because whites are racists. They represent the elite. The white elite in this country. And they dominate, for more than 500 years, the commerce and all the means of production. The situation with being black is complex. Not only complex, but terrible. We suffer a lot. Black people, poor people. We've been suffering for more than 500 years here. And we work a lot. And we try to advance, to get and create more conditions for us and our children, but it's not easy.

Bruno, the professor, stated:

Bruno: Even though Brazil apparently offers equal opportunities, you can tell that in the spaces where whites are a majority, or where power spheres, you are always going to be stigmatized. Brazil's racism is really perverse. You see, you have places where there is a

white majority and places where there is a black majority. The places where there is a white majority are the ones closest to power, that is, the universities, the companies, the public offices, all that. And the places that are more distant to power, the places where there is more culture, the places you associate with the ludic activities, that's where you have a black majority. So, for instance, in Brazil, you have a lot of black people in soccer and a lot of black people in music, but not a lot of blacks who go to the University. And that's the perversity of racism. And how am I received by my peers? Look, in Brazil, since racism isn't explicit, it is hidden, it's a non-explicit thing. Prejudice is not always openly showed; we don't always see it openly, but subtly, yes. For example, in some events, you can tell that my presence generates a certain discomfort. As a black person in Brazil, you always have to be much better than you should have to. For instance, to be considered good, I have to be excellent; to be considered excellent, I have to be extra excellent [laughs]. So the racial issue in Brazil is an element that takes value from what you are, you see? So that's why in order to have some prominence you have to be extremely good, way above average. There is a much higher level of requirements. And that's where you notice things aren't equal, that treatment isn't equal depending on your race and your location. That's pretty much it.

Liliana spoke of an important Brazilian history as she explained the perverted nature of structural racism:

I think that after the Gilberto Freyre work he wrote *Casa Grande e Senzala*... We have a very hidden form of racism here. Society is yet to own up to its racism. There are those situations where racism is never really acknowledged as an issue. People cover it up. So, all of this comes from that time of the first sociological studies that were produced here. *Casa Grande e Senzala* was where Gilberto Freyre opened the space for this racial

democracy myth. And I believe it's different from the US, where there was segregation and laws and issues with the South and the North...And things there weren't hidden, they were out in the open. And here, there's still a need to owning up to it and facing it. Those institutions need to address that this serious issue is not solved yet. We know it's a delicate issue, but there is always many structural racism and institutional racism cases. It happens every day, even though the society denies it, and hides behind a discourse that says we're all equal and so on. But we know it [racism] exists, because we live it day to day.

Alexis: What else would you like to share about structural racism?

Liliana: If racism continues to exist here? Yes, it sure does. Brazil still carries all of those racist practices, and it hasn't been that long since we left the slavery system. The abolition happened in 1888, but even so, all of those slave-like practices are still around, and there are many traces of that time in our society. So, the marginalization of the black population and the genocide of the black population, all of that is a result of the structural and institutional racism that still rules this country, even after the adoption of a republic system and even after the installment of a democracy. So to this day, we still find slave-like practices in our society.

Flávia, Bruno and Liliana discuss their understanding of Brazil vis-à-vis Afro-Descendants and their awareness of feeling excluded and marginalized at the hand of a White hierarch and structural racism. Not only are they aware, but they link structural racism to history to explain how it is embedded in society and in institutions.

On the other hand, American CUNY participants expressed their awareness and understanding of how they view structural racism in a more abstract manner. In an effort to ensure that I did not prompt participants' responses, I did not start my interviews asking about

structural racism. I asked participants what their experiences were as Afro-Descendants in liberal spaces. All of the professional CUNY participants acknowledged structural racism existing, sometimes specifically, sometimes broadly. Michael stated the existence of structural racism specifically:

Alexis: Do you think structural racism exists within the CUNY system?

Michael: Absolutely.

Kelsey's response was broad, irrespective of me probing to get clear answers:

Alexis: Would you consider the system to be a liberal space?

Kelsey: Yes, this place is considered a liberal space, and right now, I think the college is working to shift its identity with moving past inequality and trying to become more inclusive.

Alexis: Do you think racism exists in this institution?

Kelsey: I think racism exist everywhere, it's America.

Alexis: Would you say that African-Americans have the same opportunities as their white counterparts in administration and faculty here?

Kelsey: No. CUNY recognizes that the faculty it's not nearly as diverse as it should be in comparison to the student population.

Kelsey has maneuvered successfully in the CUNY system, understanding issues of race abound in the system. Yet, when asked directly, she infers racism exists but discusses the issue as a national issue, emphasizing how CUNY intends to ameliorate the situation. In many cases, CUNY students did not articulate any feelings of structural racism in their institution, but discussed the Black Lives Matter movement and the police brutality against young Black males reported in the media. With respect to questions referring to structural racism specifically, field

notes include my observation of CUNY participants looking uncomfortable discussing the subject. My notes state they fidgeted, changed the subject or ignored the question all together.

Agency and Resistance

According to sociologist Dr. Nicki Lisa Cole (2017), “agency refers to the thoughts and actions taken by people that express their individual power. Agency is the power people have to think for themselves and act in ways that shape their experiences and life trajectories.”⁶⁵ In liberal democracies, it stands to reason that a person being wronged will count on institutions to seek redress. In the case of CUNY and USP participants, they do not rely on institutions to mitigate the structural racism they report existing and impacting them. However, all of the participants assert their agency by resisting their perceptions of structural racism in some form or another.

The Brazilian USP participants seem to assert their agency by participating in active resistance. Helena, a Human Resources administrator at USP for more than 30 years, has been fighting structural racism for decades. She was part of the *Movimento Negro Unificado* (MNU), an organization instrumental in securing rights for Afro-Brazilians (Hanchard 1991). Helena is pivotal to the resistance against structural racism at USP. She is a founder of the *Núcleo de Consciência Negra* (NCN – Nucleus of Black Consciousness); students and administrators revere her as such. However, Helena’s journey to her current level of activism blossomed from a dismal Black population representation at USP. During the interview, she recalled a pivotal event to her ascent as an activist.

⁶⁵ <https://www.thoughtco.com/agency-definition-3026036>

Helena: The year 1988 marked the 100th anniversary of the abolition of slavery in Brazil. The University held, in May, a big international seminar to discuss the abolition of slavery in Brazil. To our surprise, the lecturers were all white. There was not one single black person to discuss the abolition and the post-abolition period. And in the first row, watching this seminar, we had people such as the Professor Kabengele Munanga, the Professor Milton Santon, the Professor Eunice Prudente, the Professor Adilson and Sueli Carneiro. They were great names, great scholars, who knew the Afro-Brazilian issue, but none of them were invited to be panelists at this international seminar. This drove us to promote a public denunciation of the institutional racism within the University and for the lack of recognition of the black people who could have contributed to that discussion and speak for themselves and their people... We organized a week of events named “*Semana da Abolição Interrogada*” (Interrogated Abolition Week), which happened in November. Then, all of the panels were made up of both black and white people to discuss the racial issue since we understood that racism isn’t a black people’s issue but rather an issue that reflects all of the society. And in order to do the transformation, we need to have black people as protagonists.

Helena’s testimony shows the need and relevance for activism to promote greater inclusion of Afro-Descendants to counteract USP’s hypocritical liberal positionality. While a USP White hierarchy felt they could acknowledge the perception that Afro-Descendants should be better represented, they failed to seek out the direct voices of Afro-Descendants. Instead, the White faculty spoke on Afro-Descendants’ behalf.

Some of the Brazilian USP participants resist as a collective, gathering in the NCN and discussing their circumstances, as Maria stated:

Maria: Black students inside the University, especially in this space I'm at right now, I feel like they are more politicized. So, we formed a black collective here in the University - that's really common in Brazil having black student collectives. We meet up and discuss how to fight racism within the University, among other things. So, I see that black students... First, we have a much larger social awareness.

Maria's response suggests that resistance to counteract racism in Brazil is very common and is not necessarily specific to USP. Liliana spoke of an event where she called out USP for suborning racism, and how USP's response supported Liliana's claims:

In 2013, the campus newspaper came to me, asking me to write a piece on how I felt about the low black expressiveness in the University because there's only a few black students. So, I wrote a piece called "A USP *continua racista*" [USP is still racist]. And it was a very denunciatory content: I listed a series of situations that demonstrate racism at USP. And this text ended up never being published because its content was too denunciatory. I made serious denunciations. And I included myself in it; I reported the situation I told you before with the police and the inquiry. So, this is my experience with racism.

Afro-Descendant students enter USP believing a degree from the institution will elevate them. Once they get to USP, they quickly discover that they are not accepted in a space they believed would accept them. Rather than leaving, they resist in various ways. Some resist by gathering at the NCN, discussing issues of exclusions and verbalizing concerns against their treatment by the institution in an organized fashion. Others resist by embracing an Afrocentric aesthetic, such as wearing their hair in Afro styles and clothing that promotes a message of resistance. This type of resistance counters scholars' arguments of Afro-Brazilians feeling compelled to embrace a

European aesthetic to conform to Brazilian society (Adelman and Ruggi 2008, Machado-Borges 2009, Edmonds 2010). Brazilian participants exhibit the most important aspect of agency and resistance by acknowledging and embracing their blackness. They do so by proudly self-designating as *preto (a)*, irrespective of the stigma attached to the designation. I recorded my amazement regarding this phenomenon in field notes.

In the United States, CUNY participants did not participate in active resistance against the parties responsible for maintaining structural racism at CUNY. Instead, they showed a more passive type of resistance. The respondents' resistance was demonstrated by their maneuvering around their perception of CUNY's racist structure. They either adapted behaviors to adjust to White leadership's disparate treatment, remained at CUNY until they found better opportunities elsewhere or left the system, causing brain drain. Walter found ways to challenge the system with an "in your face" manner:

Alexis: How are you received at CUNY? Do you feel supported?

Walter: They don't care for me, but they support me. The reason I am supported is because people like me don't keep our mouths shut and stand up for what we believe in.

That's how I am supported here.

Based upon my observations of Walter, much like some Brazilian participants, his attire depicted resistance, which was an exception. However, Walter never uttered examples of what he was inferring. Some participants chose to function within the framework of CUNY, with an exit plan. Deborah's intention is to get what she can get and leave when the time is right:

Alexis: Do you intend to pursue tenure once you matriculate?

Deborah: I do not intend to stay at CUNY. Once I complete my doctorate, I do intend to go out to the market and look for another job. I have friends that say it's foolish, but

based on my negative experience at CUNY, I would like to go to a different establishment.

Alexis: What do you mean by that experience?

Deborah: Speaking for myself, you were never really made to feel like you're part of the community. You know that you're an outsider, and so it's not a very comfortable space to be in. It doesn't feel like you're actually in New York on this campus. I would have expected this type of behavior in a part of the country that's less diverse, so I'm very surprised at how this place is.

Other participants choose to leave the institution, causing CUNY to lose expertise. Lynn opted to leave:

Alexis: What made you decide to leave CUNY?

Lynn: I felt very underappreciated.

Lynn opted to transfer to a system outside of the state, giving her the opportunity to share the knowledge and experience she accumulated at CUNY with another university that would appreciate her breadth of knowledge.

Therefore, whether actively or passively resisting, American and Brazilian respondents conveyed their individual and collective power, even when the White hierarchy did not think they did. Brazilian participants wore their hair in Afro styles, articulated that they were being discriminated against and found a common bond as a method of support. American participants were not as vocal but shrewdly rejected the idea that they are perceived as inferior.

Conclusion

Research has shown Afro-Descendants' disparate treatment as compared to Euro-Descendants in the Americas over several centuries. Afro-Descendants are the poorest, the least educated and the most under-represented in multiple realms. Over time, laws and policies have been written and enforced to bring Afro-Descendants to the same level as Euro-Descendants. This has certainly been the case in Brazil and the United States. Both countries are democracies with explicit constitutions protecting all citizens, irrespective of color, religion, sex and other attributes. Also, while the notion has been debunked, Brazil is still considered by many to be a racial democracy based on racial inclusion, and the United States is purportedly a post-racial nation since a Black man was POTUS (President of the United States) for eight years.

Constitutions, laws and policies notwithstanding, though the status of Afro-Descendants in the U.S. and Brazil has improved, they are not where they need to be, regardless of reports made by conservative academics and politicians. The life stories of the American and Brazilian respondents in this study reveal how structural racism feels to Afro-Descendants functioning in liberal spaces.

My comparative research was conducted in two publicly funded university systems: City University of New York (CUNY) and *Universidade de São Paulo* (USP). Both universities are considered liberal and the gateway to opportunity for all affiliated with them. This belief certainly was held by participants at first – but over time, they no longer believe it. All of the study participants have had divergent experiences whereas White faculty and administrators who are supposed to treat all of their constituents equally, irrespective of skin color, actually do not. Most times, Afro-Descendants are

made to believe they belong in the presence of others; however, when their backs are turned, and sometimes in their face, the same White professors and administrators remind them that they consider them inferior. All of the participants' accounts showed a double-faced coin with heads as liberal and tails as racist. Only one of 30 self-declaring Afro-Descendant interviewees told me he had not experienced racism by his White liberal colleagues in the liberal environment where he works. However, upon closer examination, his statement revealed racist bias working against him as well.

The American and Brazilian male participants seemed to be plagued by perceptions of criminality, whether they are students or high-ranking administrators in liberal spaces such as CUNY or USP. Whether they discussed it openly or employed coded language to get their messages across, they digested the idea that merely being Afro-Descendant can get them jailed or worse, killed.

American and Brazilian female respondents realized their inferior status, but treatment of their condition is different. The Afro-Brazilian women realize they are viewed as inferior beings, but take pride in being Afro-Descendant and persevere, even in the most difficult situations. However, they actively seek inclusion. At USP, the women hope for channels of patronage to get jobs and access once they graduate. At CUNY, the women leave, seeking better opportunities elsewhere.

Affirmative action in the United States and Brazil is the racial balancing policy du jour according to people who support and oppose it. Moreover, affirmative action seems to be the only policy expressly addressing any kind of reparation for past historical horrors, slavery to be more specific, according to all participants. However, the policy is viewed differently depending on the country is examined. In Brazil, affirmative action has been in place a short time and is the

only way to promote Afro-Descendants' inclusion and participation in society. According to all Brazilian participants, affirmative action quotas in higher education are the only prospect for Afro-Brazilians' social and economic growth. They are adamant about affirmative action quotas being the solution, even though they admit they will not be as competitive in the workplace as their White counterparts with degrees. On the other hand, affirmative action has been in place for almost five decades in the United States. American respondents are pragmatic about the policy. Although the policy has precipitated some advances in their social sphere, the CUNY participants expressed how the institution has found ways to bypass the policy to continue to exclude Afro-Descendants.

While CUNY and USP participants understand the relevance and importance of affirmative action to counteract their disparate treatment at the hand of structural racism, they understand the contestation around the policy. To address their marginalization at CUNY and USP, the participants exhibit forms of active and passive resistance. In Brazil, USP participants formally organize. To validate their activism because of their awareness, USP participants form collectives, meet to discuss issues of exclusion and how to fight against them and challenge Whites in positions of authority, either verbally or aesthetically. They adopt an "in your face" perspective to be clear that they are not going away. At CUNY, awareness of the negative connotation about being an Afro-Descendant is present. However, CUNY participants employ a more passive form of resistance. Some stay at the institution, knowing they will not excel any further because criteria to advance is institutionally inconsistent. Rather than challenging the institution's unclear standards to advance, some stay knowing the institution does not want them. Instead, they leverage affirmative action to force the institution to work with them. Others get the skills or credentials they need from the institution, and leave for other institutions to benefit from

their expertise. The respondents articulated the insidiousness of structural racism, showing how some White administrators and faculty verbalize their racist viewpoints irrespective of affirmative action being in place to mitigate racial disparity. The interviews demonstrate the second level of analysis in the unit analysis of structural racism by narrating how some White liberals in positions of authority show their racist tendencies while exercising institutional power. The respondents understand the structurally racist framework they are in and eloquently legitimize how they function amongst some White racists who purport that racism no longer exists in institutions created to eradicate racist thoughts.

Chapter 6 – Findings and Reflection

Will IT Ever End...

Structural racism endures in liberal institutions and colorblind states. Findings from this study provide evidence to assert that African-Americans and Afro-Brazilians in New York City and the City of São Paulo are not able to compete fairly in the market place or higher education. Furthermore, these two groups perceive themselves to be marginalized on the basis of race.

African-Americans and Afro-Brazilians share a legacy in the African Slave Trade that is much deeper than their ancestral roots because this colonial legacy continues to influence outcomes for this population (O'Reilly 1995, Skidmore 2010). Though it appears great strides have been made in providing access to higher education, delving deeper into the data and individualizing the experience through interviews reveals a different reality. The colonial legacy of racism is the framework for a racial hierarchy, which is not fully addressed in the liberal and democratic states of Brazil and United States, notwithstanding contemporary policies in place, even today (O'Reilly 1995, Skidmore 2010). Both countries purport following a colorblind dogma with the United States being in a post-racial phase and Brazil being a racial democracy, even though both of these notions have been contested. To validate their claims of colorblindness, these countries present African-Americans such as President Barack Obama or U.S. Secretary of Housing and Urban Development Ben Carson (King 2011, Washington Post March 2, 2017) and Brazilian politician and scholar Abdias do Nascimento and politician

Benedita da Silva (Silva, Benjamin and Mendonça 1997) as examples of post racial or racial democracy societies. However, the number of Afro-Descendants who have achieved a high level of upward mobility are not proportional to the large percentages of Afro-Descendants in these countries.

Higher education has been deemed the ideal societal balancing agent, creating access to economic and political success, irrespective of socio-economic background. Based on this premise, this study sought to determine if structural racism exists at the university level. I examined a slice of society in two cities from two separate countries with similar policies that address racism. I conducted the study in an effort to understand how Afro-Descendants achieve and perceive their opportunities in the most liberal spaces: publicly funded universities. Towards that end, I analyzed data acquired by American and Brazilian national statistics repositories about New York City, United States, and the City of São Paulo, Brazil. I compared and contrasted how African-Americans and Afro-Brazilians in these cities performed socio-economically and in higher education. Semi-structured interviews provided additional information from Afro-Descendants about their experiences and perceptions of structural racism, despite the implementation of race-based affirmative action within their institutions. I chose publicly funded universities since they are the exemplars of liberal spaces. Fourteen African-American participants in the City College of New York (CUNY) system and 15 Afro-Brazilians in the *Universidade de São Paulo* (USP) system were interviewed. All of the participants were Afro-Descendant students, faculty and/or administrative staff.

My research study aimed to understand aspects of colonial legacy vis-à-vis current public policy addressing racial disparity. To achieve this outcome, the following questions were put forth:

- How do colonial legacies of racism inform current public policies designed to mitigate structural racism against Afro-Descendants in the United States and Brazil?
- How are contemporary public policies in Brazil and the U.S. that are aimed to eradicate racism constrained by structural racism?
- How successful are liberal policies at promoting the social mobility of Black professors, administrators and students; and
- How has race-based affirmative action affected Afro-Descendants' experiences and perceptions of race and structural racism within liberal institutions such as publicly funded universities

The following discussion is based on the quantitative and qualitative findings of this study and their relationship to the theoretical frameworks put forth by Glenn C. Loury, Pierre Bourdieu, Frantz Fanon and Eduardo Bonilla-Silva. These scholars frame race and racism in a context that acknowledges contemporary undercurrents of structural racism affecting the lives of Afro-Descendants in the United States and Brazil. Second, I argue whether public policies can act as suitable mechanisms to mitigate racism in predominantly liberal environments within 'post racial' and 'color blind' societies. I conclude by discussing the implications of this study, critiquing the theoretical frameworks and proposing future research.

What Does Colonialism Have to Do with It?

The United States and Brazil have rich colonial histories often discussed in relation to the scholarship on race and racism in both countries. In the academic literature, the African Slave Trade precipitated a paradigm shift embedding a White colonizer/Black colonized binary, which established a hegemonic system of White domination in the two colonies. Glenn C. Loury's

(2002) discrimination in contract and in contact theories explain how the racial binary transitioned from a legal framework to a norm entrenched within society. Discrimination by contract established the policies affirming a White/superior, Black/inferior dichotomy, facilitating liberal states' ability to exercise their authority under the guise of sponsoring social justice. These policies were legally proscribed, "a proscription seen not only as consistent with, but as necessary for, the realization of liberal ideals" (Loury 2003: 96). Loury's other theory, discrimination in contact, occurs in private spheres through social relations and associations.

As academia and history have reported, colonial policies that established colonizers' dominance remained in place until the abolition of slavery in both countries. Colonial policies as a White superiority/Black inferiority dyad materialized, differing only at the period of time when each country abolished slavery. In the United States, the dyad was demonstrable by laws propagating extreme segregation, solidifying Blacks as subjugated subjects while being free citizens. For Brazil, a racial democracy canon emerged, asserting that racial differentiation was not necessarily valid. Brazil started the trend of colorblindness with its label as a racial democracy, which was an important step to not replicate the racially inspired separatism occurring in the United States. Both phenomena ensued around the same period, beginning at the end of the 19th century through the middle of the 20th century.

Thereafter, colonial policies took on a veil of colorblindness pursuant to activism fueled by liberal idealism. In the United States, the Civil Rights Movement used the courts to debunk separate but equal ideology. A 2001 conference on racism in Durban, South Africa, gave activists a platform to "out" Brazil as a nation defying democratic principles by stifling Afro-Brazilians' opportunities. New policies were put in place to mitigate discrimination in contract. However, those policies, in true colonial spirit, embedded structural racism in institutions,

engaging discrimination in contact. Overt discrimination went underground but persevered under the guise of colorblind rhetoric.

The United States' Past

In the United States, Jim Crow and separatist laws were always framed as the way for Blacks and Whites to ostensibly enjoy the same opportunities, but in different spaces. Therefore, as an example, slaves and slave masters could never marry or formally occupy the same quarters by law while the United States was a colony. Thirty-five states in the union had “separate but equal” laws on their books until the late 1960s (Brogan, 1999). Separate but equal laws, supported by court decisions—*Dred Scott* case,—were merely a continuum of preceding colonial policies, the basis for discrimination by contract. Democratic pronouncements of freedom and equality drove civil rights’ activism. They achieved this by dismantling discrimination by contract with court rulings invoking constitutional liberal ideals—*Brown v. Board of Education* case.

Thereafter, discrimination by contact became the avenue du jour to discriminate against Black Americans, even from the perspective of United States Presidents who either recognized or were coerced to acknowledge that Blacks remained underrepresented in most positive aspects of American life. President Kennedy began with his executive order #10925, forcing contractors to hire Blacks in order to receive federal funding. Thus, affirmative action was born. The executive order morphed into a public policy which sought to correct how the legacies of slavery severely hampered Blacks’ mobility in contemporary society. The policy of affirmative action permeated all federally funded public sectors, including government and education, with the intent of dismantling a powerful and successful system of discrimination in contact.

The United States' Present in New York City

This study was conducted in New York City, which is purported to be the most liberal metropolitan area in New York State. New York City is firmly committed to a policy of diversity, which is exemplified by affirmative action mandates throughout its government and large educational systems. Despite this commitment, data acquired from the American Community Survey (ACS) (2010-2014) showed Blacks in New York City were more likely to earn less than Whites by a significant margin. This disparity occurs even though Blacks enroll in and graduate from publicly funded colleges with undergraduate degrees that have race-based affirmative action in place (IPEDS, 2004-2014). The research also showed that, during the same period, Blacks were more likely than Whites to work in service level jobs, irrespective of having four-year degrees. The data exposes a system of discrimination in contact, which must be flourishing in New York City to explain why African-Americans are not competing at the same level as their White counterparts.

The African-American participants in this study clearly articulated how structural racism was an understood veiled enterprise meant to keep them down. African-American participants in the CUNY system expressed frustration watching their White counterparts attain tenure, receive scholarships and acquire professional support from White colleagues while they were put under a microscope irrespective of acquiring similar credentials and representing a protected racial class.

Brazil's Past

In Brazil, discrimination was delivered differently during the same time period. Brazil took on Loury's discrimination in contract and in contact theories. The Brazilian intelligentsia grappled with a racially fluid nation. Miscegenation produced esthetically different looking

people with a gamut of skin colors from the whitest to the darkest looking persons. The same intelligentsia had a broad knowledge of the racial problems and discrimination in contract occurring in the United States. In Brazil, discrimination in contract occurred by purporting racial harmony using Gilberto Freyre's rhetoric as a scholar and later as a politician. His noted work, *The Masters and The Slaves* text (1986), became a driving force in the argument regarding why laws did not have to be enacted to separate Blacks from Whites as both groups purportedly functioned in racial harmony. Instead, discrimination in contract took hold, exacted in private spheres through associations and relations formed in social life. The racial stigmas postulating Blacks' criminality, hyper-sexuality and intellectual inability (Loury 2002) were ingrained in White and light skinned Brazilians who extended their roles from colonizers to Brazilian elites.

Brazilian elites not only participated in discrimination in contract, they also relied on discrimination in contract. Brazilian elites did not invoke race as driving factors to establish discriminatory policies. Instead, they ratified laws requiring assets, such as property and literacy, for enfranchisement and full societal participation their economic interests needed to be protected by relying on a free slave workforce. As Brazil transitioned from a colony to a republic, people with dark skin could never hide their African roots. Afro-Brazilians were economically and socially strangled because of the color of their skin with no legal recourse to protect them.

Just like in the United States, activism in Brazil forced the dismantling of discrimination in contract with the assistance of liberal dogma, which inspired activism. Laws were passed to allow Afro-Brazilians to vote and participate in all aspects of Brazilian life, but those laws were inadequate. The deep-rooted patronage fueling discrimination in contract remained fixed in Brazilian society. The inferior status of Afro-Brazilians was more palpable than Blacks' status in

the United States during the Civil Rights Movement era because it was more current. Afro-Brazilian activism came center stage due to technological and social media advances at the turn of the twentieth century. Brazil's racial democracy was shamed internationally when Brazilian activists reported to the world the disparate conditions of Blacks in Brazil. The schools and housing for poor Afro-Brazilians were shown to be extremely sub-par. Although never officially acknowledged, it became clear that Blacks were at the bottom rung of Brazilian society, not allowed to enter White spaces unless they were servant workers (Skidmore 2010; Telles 2004).

Brazil's Present in the City of São Paulo

After the 2001 race conference in South Africa, Brazil was forced to confront what was becoming evident to the world; there was large-scale inequality in regard to race and socio-economic status between Afro-descendants and White Brazilians.

In the City of São Paulo, data indicates people who identify as Black or Brown are earning much less than their White counterparts, and are more likely to be uneducated. The *Fundação Universitária para o Vestibular* (FUVEST) alludes to Afro-Brazilians entering college at higher rates, yet Afro-Brazilians are more likely to have informal positions not requiring any education. Based on this finding, it can be hypothesized that Afro-Brazilians are not entering the market place in the same manner as their White counterparts because they are Black and have less access to education yielding upward mobility.

Participants' responses in the City of São Paulo support this hypothesis. Participants reported they encountered systems of discrimination in contact on a daily basis at USP. When the Afro-Brazilian students were asked if they would get jobs once they graduated from USP, they collectively answered they would most likely not. When probed further, they talked about their

perceived inferiority in school. They shared feelings of being discriminated against in obvious and/or veiled manners. Students expected they would undergo the same kind of veiled discrimination in the workforce. Despite the fact that their Black colleagues were highly qualified, they could not secure employment. When I probed further and asked them why, they responded, “We are Black.”

Institutions to the Rescue: Not So Much...

Institutions are put in place to promote democratic order and equality in the citizenry. That premise has been challenged in the literature. For Pierre Bourdieu (1990), institutions are created by elites who implement cultural arbitrariness within the institutions they construct. Education, Bourdieu’s institution of choice, is created to propagate elites’ cultural arbitrary⁶⁶ with the purpose of inculcating non-elites. He calls the process symbolic violence⁶⁷ as the non-elites digest their inculcation as a norm. Bourdieu’s symbolic violence becomes the norm for the lower class through habitus.⁶⁸

White habitus correlates directly to symbolic violence, the principal pillar of colonialism and structural racism in liberal institutions within colorblind New York City and the City of São Paulo. Townsend Harris, an elite and diplomat, founded CUNY in 1847 with the intention of extending public tertiary education to the “whole people.”⁶⁹ William H. Greene was the first Black man to graduate from New York City College in 1884.⁷⁰ It is safe to propose Harris’

⁶⁶ Bourdieu’s cultural arbitrary means cultural constructs derived from the interests and social understandings of the elites who command the formulation and implementation of education (p. 67)

⁶⁷ Bourdieu’s “symbolic violence insofar as it is the imposition of a cultural arbitrary by an arbitrary power” (p. 5).

⁶⁸ Bourdieu’s habitus conceptualizes reality that is unequivocally received and accepted.

⁶⁹ <http://www2.cuny.edu/about/history/>

⁷⁰ <http://www2.cuny.edu/about/history/>

“whole people” were White for at least forty years after the institution was created, a the White faculty, administration and student body of CUNY, constructing a White habitus. Once Black students were admitted, symbolic violence forced them to assimilate to a White cultural arbitrary and a White habitus. New York City respondents relayed how they felt inculcated in CUNY’s symbolic violence and White habitus. In particular, one CUNY participant in the study who had been promoted suggested that structural racism did not exist at CUNY although he directed me to other participants who had been discriminated against. In this case, he repeated what his White counterparts may say to make sure he did not get fired for speaking out. Obviously, he recognized that structural racism is thriving in CUNY, yet he could not articulate that fact to escape any repercussions.

In the City of São Paulo, Bourdieu’s symbolic violence, White cultural arbitrary and White habitus were palpable within USP. USP’s history of elitism under the guise of international academic excellence has been cited as the reason the university system rejects federal affirmative action quota mandates. Every Afro-Brazilian participant acknowledged symbolic violence and a White cultural arbitrary and habitus they were actively defying. The respondents arrived at USP believing they had found their “way out” but encountered extreme exclusion and discrimination because of their Blackness. One respondent was singled out by USP’s president in front of her peers for being part of a group of engineering students, a group she should not belong to because of her Blackness. A cultural arbitrary of White aesthetic, such as hair and nose straightening, has been reported by some race scholars (Edmonds 2010). The participants from the City of São Paulo discussed White esthetic cultural norms by rejecting them with the understanding that they could be punished. Brazilians who did not necessarily look Black wore their hair in natural Afro styles, demonstrating their Black pride. One participant has

a tattoo stating “Young, Black and Beautiful” on her forearm. She got the tattoo shortly after entering USP, expecting that USP would afford her the opportunity to escape being inculcated in a White habitus for the sake of acceptance.

“Pride & Prejudice:” The Challenge of African Descent

Being an Afro-Descendant presents challenges for some, particularly in light of slavery-based heritage. Frantz Fanon theorizes colonialism in its natural state that juxtaposes structural violence and colonized Blackness to explain the relationship between the colonizer and the colonized. To Fanon, colonizers exert structural violence by exploiting their colonized subjects for economic gain. The outcome of structural violence is millions of colonized subjects are forced into poverty and assimilating to their colonizers’ cultural imprint, resulting in colonized subjects exhibiting a deep sense of inferiority. The colonial system has functioned over time with an overarching understanding: colonizers have been White and colonized subjects have been colored.

In the case of the United States and Brazil, the colonizers were the British and Portuguese, respectively, and the colonized were American and Brazilian Afro-Descended slaves. Before the abolition of slavery, colonial policy formalized Fanon’s structural violence by legalizing American and Brazilian Afro-Descended slaves’ status as property to be exploited for White colonizers’ economic gain. As property, Afro-Descended slaves were stripped of their agency as an expression of their cultural origins and had to assimilate to their colonizers’ cultural norms in order to survive by being docile subjects. The intended consequence was for Black slaves to accept their sub-standard conditions; in many cases, they developed a deep sense of inferiority.

The abolition of slavery and constitutional amendments in the United States and Brazil precipitated Afro-Descended American and Brazilian slaves becoming citizens in their respective countries but in name only. Euro-Descended slave owners transitioned into American and Brazilian elites, responsible for democratizing their countries by way of law and policy, never reversing Fanon's Manichean dualism. Colonialism and its dictates should have ended. However, White elites did not intend to forgo their wealth; therefore, their dependence on a free slave labor force had to be addressed (Graham 1990, O'Reilly 1995). Scholars demonstrate elites' continued ability to accumulate wealth by garnering cheap labor through policy. Afro-Descendant Americans and Brazilians remained in positions of servitude and poverty well after they were freed from bondage, by and large not having the opportunity to reverse the negative image thrust upon them.

By the middle of the 20th century, African-Americans and Afro-Brazilians were protesting to enjoy full citizenship; from a legal perspective, they won. But, did they? As of 2014, the quantitative data demonstrates that Afro-Descendants remain the poorest in New York City and the City of São Paulo and are more likely than their White counterparts to be working in service level positions in New York City and informal positions in the City of São Paulo. The structural violence Fanon argues seems in play in both cities, particularly when looking at mean earnings, position types and unemployment rates as compared to Whites. As of 2014, Afro-Descendants are far better off than Afro-Descendant slaves when Brazil and the United States were colonies. Yet, Afro-Descendants in both cities today seem to be represented higher in service positions, suggesting their roles have not evolved sufficiently to be considered equal to their White counterparts. Nevertheless, Afro-Descendants show fervor and zeal, actively and passively, to undo past perceptions of colonial inferiority. Afro-Brazilians express pride in their

ancestry with active voices and various forms of activism. African-Americans find ways to demonstrate that, irrespective of stigmas associated with them, they are visible and resist negative stereotypes in a less active manner.

Whites have been the people responsible for ensuring that institutions' liberal tenets are never compromised. Over time, as the vestiges of colonialism seem to have survived, acknowledging institutions as change agents, higher education in particular, legislators have invoked their power with policy making when Black activism illuminated the disparate treatment and position of Afro-Descendants. Affirmative action was put in place to level the playing field for Afro-Descendants. In both countries, the policy has undergone a "colorblinding" transformation into an idealism of diversity or class-based balancing. Diversity and class-based balance seem to be affirmative action's new mission, taking the important narrative of race out of the equation in both countries. If race is no longer part of the discussion vis-à-vis affirmative action, racism conveniently disappears, particularly structural racism, facilitating Loury's discrimination in contact's ability to perpetuate Afro-Descendants' inferior status. Fanon's colonized Blackness is an important facet emerging from colorblindness. Colonized Blackness during the times of slavery does not disappear. However, an important dynamic unfolds: an acknowledgment, awareness and pride of having Afro-Descendant roots.

Slave owners demarcated Afro-Descendants as inferiors; however, this sentiment transcended the abolition era in both the United States and Brazil and remains in place today, exacted by some leadership in liberal spaces. For example, affirmative action was implemented by liberal White policy makers. Publicly funded universities and colleges epitomize liberal institutions; therefore, publicly funded colleges and universities in the United States and Brazil

act as liberal spaces in colorblind states and are governed by purportedly liberal minded White people.

The interview responses of Afro-Descendants in the City College of New York and the *Universidade de São Paulo* demonstrate that university leadership and instructional staff seem to be, by and large, White. Some in this White hierarchy appear to maintain their racialized common-sense idea that Afro-Descendants are sub-par and incapable of competing as students or faculty/staff. Afro-Descendants in both cities report their White professors and White university staff question their intelligence, ability to perform and character. At USP, merely entering the university property is a test of Afro-Brazilians' credibility as security stops them to authenticate their right to enter the liberal space they rightfully earned being part of. At CUNY, African-American professors cannot seem to get tenure, irrespective of race-based affirmative action being actively entrenched in the university system.

It could be argued that Colonized Blackness of colonial times is manifested in the present, closing Fanon's circle of violence in its natural state. Nevertheless, all African-American and Afro-Brazilian participants expressed bifurcated sentiments regarding their positions as Afro-Descendants. On one hand, they acknowledged higher education would be the avenue to compete in the market place and be viewed as equal to their White counterparts. On the other hand, joining CUNY and USP caused a reversal in their original expectations of these liberal spaces because they were reminded of their inferior Colonized Blackness by the White liberal agents who are supposed to educate them or collaborate with them. As reported in the interview with the engineering student at USP, it is as if some White leadership subconsciously resents Afro-Descendant integration. Since policy protects the integration, some White leadership asserts its power by emphasizing Afro-Descendant inferiority, either directly or

indirectly. Knowingly or unknowingly, some White liberal agents behave like racists, under the guise that racism no longer exists. Unfortunately, all participants described the repercussions they can suffer if they dare to aggressively and blatantly express their discontent regarding the ill treatment they receive from some White leadership and instructional staff. Some New York City participants chose to reiterate the racist narrative of their White colleagues while knowing what they are saying is false as demonstrated by Charles' interview. The City of São Paulo participants choose to defy some White leadership by demonstrating Afro-Descendant pride via their hair styles and tattoos.

Finally, agency for African-American and Afro-Brazilian participants is different. Afro-Brazilian participants at USP embrace their Afro-Descent roots as a political statement because they see the value of affirmative action policy for their advancement. African-American CUNY participants do not view their ancestry as a political statement with respect to affirmative action because they have not seen its direct benefit. Affirmative action is in its infancy stage in Brazil and is implemented differently than in the United States, where the policy has been in place for more than four decades. While it is too soon to conclude that the outcome of affirmative action is the same in both cities, agency and resistance are employed by both sets of participants in a similar manner.

Fanon posits that reversing structural violence and Colonized Blackness requires employing the colonizers' original methods precipitating both systems. Fanon suggests that seeking liberation is the chance to overturn both processes. Today, as the United States and Brazil are purportedly colorblind liberal democracies, freedom granted has come at a heavy price in New York City and the City of São Paulo for its Afro-Descended population. In the liberal spaces of CUNY and USP, African-Americans and Afro-Brazilians express feeling marginalized

and anxious vis-à-vis their Afro-Descendant status, much like African slaves reported according to the historical scholarship. Nevertheless, there is a difference. Afro-Descendants in both cities are resisting their conditions in their own ways, demonstrating the importance of agency. They do not leave CUNY or USP until they have obtained what they need in those same liberal spaces that subject them to structural racism. Fanon did not address how agency can mitigate Colonized Blackness, a fact that should be explored further.

Abstract Liberalism = Liberal Colonialism

Eduardo Bonilla-Silva's (2010) abstract liberalism frame is pivotal to the discussion of race and racism in liberal democracies that purport to be colorblind. Bonilla-Silva defines abstract liberalism as:

A frame that involves using ideas associated with political liberalism (e.g. "equal opportunity," the idea that force should not be used to achieve social policy) and economic liberalism (e.g. choice, individualism) in an abstract manner to explain racial matters. By framing race-related issues in the language of liberalism, whites can appear reasonable and even moral, while opposing almost all practical approaches to deal with de facto racial inequality. (Bonilla-Silva 2010: 28)

I contend that Bonilla-Silva's argument extends to American and Brazilian publicly funded liberal educational institutions in New York City and the City of São Paulo. CUNY and USP have systems of structural racism in place that privilege the dominant White group and undermine the minority Afro-Descendant group. All study participants relayed feelings of exclusion and malaise because of their Afro-Descent when they interact with some White administrators and faculty. Many participants indicated they needed to work harder than their

White counterparts to demonstrate they had earned their positions at their respective universities, irrespective of race-based affirmative action as a variable in both systems. When asked if they felt they could complain about feeling discriminated against, participants collectively responded they would not be heard, unless the infraction was blatantly racist. Several USP participants stated complaints of overtly racist actions from some White professors and administrators would fall on “deaf ears,” and there were no formal avenues to seek redress for overtly discriminatory practices. CUNY graduate students and all USP students indicated their White professors and administrators frequently cited equal opportunity rhetoric when confronted with issues of favoritism for White students, as stated by study participants Larry and Malachi.

Equal opportunity legislation was passed in 1964 in the United States, intending to prohibit racial and other types of discrimination in most milieus and punishable by the courts. The legislation was passed in tandem with President Johnson’s affirmative action executive order 11246, at a time when segregationist laws were at the forefront of American society. These policies were instituted to redress colonial injuries suffered by Afro-Descendant slaves. Since equal opportunity and affirmative action are inextricably tied, the shift of “colorblinding” affirmative action has shrouded equal opportunity. Making claims of racial discrimination today requires a preponderance of evidence that often cannot be gathered. Hence, unless discrimination is flagrant, cases are closed with said discrimination not having been adjudicated. This phenomenon resembles how colonial legacies of the past served to protect colonizers at the expense of the colonized. If abstract liberalism is manifested on an individual level, I coin liberal colonialism as an institutional phenomenon. At CUNY and USP, the structural racism experienced by the participants is not at the hands of a few individuals with racist views. If it were, the two liberal institutions would reprimand racist offenders. Afro-Descendants in both

institutions realize that they are being discriminated against on multiple levels, as high up as the institutions' executive leadership, hindering any opportunity for resolution, ergo, structural racism is embedded in both institutions and liberal colonialism is in play.

Implications of the Research Study

The research study reveals structural racism exists in liberal institutions in colorblind states. This finding has a number of important implications. While the study did not account for every possible variable explaining why Afro-Descendants in both areas are the poorest and the least educated, the quantitative and qualitative findings provide evidence challenging the idea that New York City and the City of São Paulo are colorblind and CUNY and USP adhere to liberal tenets, inferring all citizens should be treated equally. If publicly funded universities in liberal cities such as New York City and the City of São Paulo are fostering structural racism, it is safe to assert that structural racism underpins the United States and Brazil nationally.

The difference between Brazil and the United States is that the policy of affirmative action looks and sounds differently. In the United States, affirmative action is racially muted with White women representing the majority of claimants in the courts (Eberhardt and Fiske 1994). In Brazil, affirmative action is demonstrable in quotas that are finite and highly controversial. The controversy brought by quotas has incited open, honest discussions about the impact of racial discrimination. This seems to have caused Whites, those particularly in liberal institutions, to examine themselves and identify whether or not their thinking is biased by the colonial vestiges of the past that demarcate Blacks as inferior, criminal and over-sexualized. This self-reflection was seen in the exchange I witnessed between White instructors and Black activists in the City of São Paulo. American respondents seem aware that structural racism is

entrenched in their institution, and are ambivalent about race-based affirmative action purportedly protecting them. In the final analysis, structural racism survives and is produced and reproduced in institutions led by some White leadership informed by its racialized common-sense notions of Black inferiority. Consequently, the liberal institutions and their leaders in the City of New York and the City of São Paulo are racist without racism.

Study Strengths and Limitations

Strengths

This study makes important contributions toward understanding how race and policy intersect, contributing to the persistence of structural racism in liberal institutions. There are three strengths to this study: a unique unit of analysis, a methodologically mixed approach and a distinctive level of analysis.

First, the unit of analysis for the study is structural racism. While scholars have defined structural racism in race studies, this study has gone further by operationalizing structural racism from both micro and macro perspectives.

Second, this study's findings are derived from a mixed method approach. Most previous political science research centering around racism primarily employs a quantitative approach. This study expands the knowledge base by using mixed methodology.

Third, this study builds on previous research by broadening the level of analysis, sampling a unique population: self-identifying Afro-Descendant students, faculty and administrators. In addition, this study relies on large data sets from Brazil and the United States. The present work adds to the research on race-based affirmative action and structural racism in higher education in both Brazil and the United States.

Limitations

All studies have certain limitations that generally exist stemming from sample size, data availability, measurement and data collection. Methodologically, this study has large and small N limitations. Quantitatively, the large N census raw data set was available to be analyzed using a regression method in the United States but not in Brazil due to governmental restrictions. Therefore, I used secondary data analysis that has its own set of limitations. However, secondary data analyses was the only way to compare and draw conclusions between New York City and the City of São Paulo using census data. Since the data available was already synthesized by different sponsoring governmental agencies, making comparisons and drawing conclusions using the exact same data by country was not possible. Large N secondary data analyses could only be performed by socio-economic indicator type like education and employment.

Qualitatively, a number of limitations arose in the study. First, self-reported data limitations could be possible by obtaining the perceptions of participants. From this data collection, inferences could be made about respondents' answers and possible willingness to provide responses that would please the investigator (Bernard 1995). Second, both interview pools could be part of the large N but that information could not be verified, as the interview protocol did not require asking whether participants had responded to census surveys. I interviewed a very small sample at CUNY and USP, and albeit respondents came from different social class, and all identified as Afro-Descendant, their experiences and responses may not be indicative of the Afro-Descendant population at large in both cities and countries. Fourth, from a comparison point of view, I interviewed more students in the USP system and more professionals in the CUNY system because far less Afro-Descended faculty and administrators

were in USP, São Paulo, than in CUNY, New York, as reported by statistics from both universities.

One significant limitation to the study is how Afro-Descended Americans and Brazilians identify racially. There are nuances to race in Brazil that do not exist in the United States. To that end, Afro-Brazilians specifically chose to identify as Afro-Descendant when they would not necessarily need to, based upon their phenotypical features. Delving into racial designation and classification in Brazil is a separate dissertation. African-Americans' understanding of their race is more direct and less nuanced. However, there are Black people from the Caribbean as well as from the African and European continents who do not identify as African-American in the United States. To mitigate these limitations, qualifying for the study required self-designation as Afro-Descendant and not being a recent immigrant of their respective countries. Limitations notwithstanding, these facts did not disqualify the study's methods and findings.

Future Research

The findings from this study indicate African-Americans in New York City and Afro-Brazilians in the City of São Paulo are not competing fairly in the market place and suffer the realities of structural racism in liberal spaces such as universities. I would extend this finding and venture to contend that if structural racism is active in the two liberal spaces chosen, it is most likely active throughout the United States and Brazil, two purportedly colorblind states. Further research with a larger sample in both countries could be carried out to determine the veracity of this problem and its effects.

In the City of São Paulo, a follow up analysis should be conducted with the student participants of this study to determine whether they were able to secure employment after

graduation. Also, as affirmative action quotas are taking hold at USP, research should be conducted to understand how the policy is faring in terms of enrollment of Blacks. Lastly, with respect to USP, graduation rates by race should be analyzed as the data is not readily available. In Brazil, an examination in the gap of national socio-economic indicator empirical data available should be conducted by city and metropolitan area by race for years after 2003. In addition, inquiry and analysis should be conducted to understand why national data is not consistent or unavailable in a time when Brazil touts state transparency on every national website.

Studies have shown that students perform better when they are being taught by people who look like them. At CUNY, further investigation should take place to measure how and why African-American faculty are not being hired and earning tenure in comparison to their White counterparts and proportional to the demographic composition of the student body.

Future research also includes finding a concise method to measure structural racism. This kind of method would debunk any idea delegitimizing the insidious nature of structural racism and would be beneficial in reversing its effects.

Conclusion

For the United States, Brazil and every other country purporting to follow liberal dogma to become indeed colorblind and for publicly funded universities to function as authentic liberal spaces, much work must be done. In the United States and Brazil, a racial White/Afro-Descendant binary system is in place. In this system, Whites are the privileged group and Afro-Descendants are at a sub-status. In the United States, that system became formalized with the “one drop rule” (O’Reilly 1995). In Brazil, irrespective of racial identification being fluid where

degrees of Afro-Descent features can improve social conditions, Whites remain at the top of the societal hierarchy. What is considered normal or not normal, or what is considered right or not right becomes grounded in the power held by Whites (Foucault 1975). Hence, the racial binary and the power held by Whites drive society in the United States and Brazil, serving as a foundation for structural racism.

At the moment, structural racism functions in an insidiously veiled manner with apparently no recourse for correction. Afro-Descendants have advanced greatly over the last few decades by mobilizing and demanding equality in society. On some level, their demands have been met, yet colonial vestiges remain part of both nations' frameworks as Whites were the forefathers and currently lead the executive, legislative and judicial branches for both nations.

Institutions should be the solution and can be. "We" need to follow Richard Levin's (2017) idiom on circumventing tyranny in order to overcome structural racism. During a March 24, 2017, interview, Levin stated: "It is institutions that help us to preserve decency. They need our help as well. Do not speak of 'our institutions' unless you make them yours by action on their behalf. Institutions do not protect themselves. They fall one after the other unless each is defended from the beginning" (HBO Real Time with Bill Maher – 3/24/2017). Let academia be the gateway to bringing to light the insidious nature of structural racism and ending it forever.

Bibliography

- Abreu, de João Capistrano. 1997. *Chapters of Brazil's Colonial History*. n.p.: Oxford University Press.
- Aghion, Philippe, Leah Boustan, Caroline Hoxby, and Jerome Vandenbussche. 2009. "The Causal impact of education on economic growth: evidence from US." *Brookings Papers on Economic Activity Conference*.
- Aguirre, Adalberto. 2000. "Academic Storytelling: A Critical Race Theory Story of Affirmative Action." *Sociological Perspectives* no. 2: 319.
- Adelman, Miriam and Lennita Ruggi. 2008. "The Beautiful and the Abject: Gender, Identity and Constructions of the body in Contemporary Brazilian Culture." *International Sociological Association* no 56:4, 555-586.
- Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. n.p.: New York: New Press; [Jackson, Tenn.]: Distributed by Perseus Distribution.
- Andrews, Charles McLean. 1934. *The Colonial Period of American History*. n.p.: New Haven, Yale University Press; London, H. Milford, Oxford University Press.
- Andrews, George Reid. 1991. *Blacks & Whites in São Paulo, Brazil, 1888-1988*. n.p.: Madison, Wisconsin: University of Wisconsin Press.
- Augoustinos, M, K Tuffin, and D Every. 2005. "New Racism, Meritocracy and Individualism: Constraining Affirmative Action in Education." *Discourse & Society* 16, no. 3: 315-340.
- Barry, Brian. 1990. "How Not to Defend Liberal Institutions." *British Journal of Political Science* no 20:1. 1-14.
- Bartels, Larry M. 2008. *Unequal Democracy: The Political Economy of the New Gilded Age*. n.p.: New York: Russell Sage Foundation; Princeton: Princeton University Press.
- Bell, Derrick. 1992. *Faces at The Bottom of the Well: The Permanence of Racism*. New York: Basic Books.
- Bell, Duncan. 2014. "What Is Liberalism?" *Political Theory* no. 6.
- Beer, George Louis. 1912. "The Old Colonial System." *HathiTrust*.

- Berlin, Ira. 1998. *Many Thousands Gone: The First Two Centuries of Slavery in North*. n.p.: London, England: The Belknap Press of Harvard University Press.
- Bernard, H. Russell. 1995. *Research methods in anthropology: qualitative and quantitative approaches*. n.p.: Thousand Oaks, CA: Sage Publications.
- Blackburn, Robin. 1988. *The Overthrow of Colonial Slavery, 1776-1848*. n.p.: London; New York: Verso.
- Bonilla-Silva, Eduardo. 2001. *White Supremacy and Racism in the Post-Civil Rights Era*. n.p.: Boulder, Colorado: Lynne Rienner Publishers.
- Bonilla-Silva, Eduardo. 2010. *Racism Without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*. Lanham: Rowman & Littlefield Publishers.
- Bourdieu, Pierre, and Jean Claude Passeron. 1990. *Reproduction in Education, Society and Culture*. London: Sage.
- Bowen, William G. 1998. *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions*. n.p.: Princeton University Press.
- Bowser, Benjamin P. 1995. *Racism and Anti-Racism in World Perspective*. n.p.: Thousand Oaks: Sage Publications.
- Bradbury, M, and JE Kellough. 2011. "Representative Bureaucracy: Assessing the Evidence on Active Representation." *American Review of Public Administration* 41, no. 2: 157-167.
- Brown-Nagin, T. 2005. "Elites, Social Movements, and the Law: The Case of Affirmative Action." *Columbia Law Review* 105, no. 5: 1436-1528.
- Caldwell, Kia Lilly. 2007. *Negras in Brazil: Re-Envisioning Black Women, Citizenship, and the Politics of Identity*. n.p.: New Brunswick, New Jersey: Rutgers University Press.
- Carr, Leslie G. 1997. *"Color-Blind" Racism*. Thousand Oaks: Sage Publications.
- Carroll, Mary. 1996. "Not All Black and White: Affirmative Action, Race, and American Values." *Booklist*, 1996. p187.
- Charles R. Lawrence. 2001. "Two Views of the River: A Critique of the Liberal Defense of Affirmative Action." *Columbia Law Review* 101, 928.
- Clayton, Susan D., and Faye J. Crosby. 1992. *Justice, Gender, and Affirmative Action*. n.p.: Ann Arbor: University of Michigan Press.
- Comaroff, Jean, and John L., 1945- Comaroff. 1991. *Of Revelation and Revolution*. n.p.: University of Chicago Press.
- Cooley, Aaron. 2009. "Liberalism: Notes on a Concept for Educators and Educational Researchers. (Undetermined)." *Educational Research Quarterly* 32, no. 4: 3-16.

- Cooper, Frederick. 2005. *Colonialism in Question: Theory, Knowledge, History*. Berkeley: University of California Press.
- Crosby, Faye J., Aarti Iyer, and Sirinda Sincharoen. 2006. "Understanding Affirmative Action." In *Annual Review of Psychology (Vol 57)*, 585-611.
- Daniel, G. Reginald. 2006. *Race and Multiraciality in Brazil and the United States: Converging Paths?*. University Park, Pa: Penn State University Press.
- Dávila, Jerry. 2003. *Diploma of Whiteness: Race and Social Policy in Brazil, 1917-1945*. United States of America: Duke University Press.
- Dávila, Jerry. 2014. "Brazilian Race Relations in the Shadow of Apartheid." *Radical History Review* no. 119: 122-145.
- Delgado, Richard, and Jean Stefancic. 2012. *Critical Race Theory: An Introduction*. n.p.: New York: New York University Press.
- Degler, Carl N. 1986. *Neither Black nor White: Slavery and Race Relations in Brazil and the United States*. n.p.: Madison, Wisconsin: University of Wisconsin Press.
- Dussel, Enrique D., Carlos A. Jáuregui, and Mabel Moraña. 2008. *Coloniality at Large: Latin America and the Postcolonial*. n.p.: Durham: Duke University Press.
- Eberhardt, J. L., and S. T. Fiske. 1994. "Affirmative Action in Theory and Practice: Issues of Power, Ambiguity, and Gender Versus Race." *Basic and Applied Social Psychology* 15, no. 1-2: 201-220.
- Edmonds, Alexander. 2010. *Pretty Modern: Beauty, Sex, and Plastic Surgery in Brazil*. Durham [N.C.]: Duke University Press.
- Ezorsky, Gertrude. 1996. *Racism and Justice: The Case for Affirmative Action*. n.p.: Cornell University Press.
- Fanon, Frantz, and Richard Philcox. 2004. *The Wretched of the Earth*. n.p.: New York: Grove Press.
- Fanon, Frantz. 1961. *A Dying Colonialism*. n.p.: New York: Grove Press.
- Fanon, Frantz. 1952. *Black Skin, White masks*. n.p.: New York: Grove Press.
- Farfán-Santos, Elizabeth. 2016. *Black Bodies, Black Rights: The Politics of Quilombolismo in Contemporary Brazil*. n.p. Texas: University of Texas Press.
- Feagin, Joe R. 2012. *White party, White Government: Race, Class, and U.S. Politics*. n.p.: Routledge.
- Feagin, Joe R., and Melvin P. Sikes. 1994. *Living with Racism: The Black Middle Class Experience*. Boston: Beacon Press.

- Federico, Christopher M., and Jim Sidanius. 2002. "Racism, Ideology, and Affirmative Action Revisited: the Antecedents and Consequences of 'Principled Objections' to Affirmative Action." *Journal of Personality and Social Psychology* no. 4: 488.
- Feinberg, Walter. 1998. *On Higher Ground: Education and the Case for Affirmative Action*. United States of America: Teachers College Press.
- Fine, Michelle. 1991. *Framing Dropouts: Notes on the Politics of an Urban Public High School*. Albany, NY US: State University of New York Press.
- Finkelman, Paul. 1985. *Slavery in the Courtroom: An Annotated Bibliography of American Cases*. n.p.: Washington: Library of Congress.
- Fleming, John Emory. 1978. *The Case for Affirmative Action for Blacks in Higher Education*. n.p.: Howard University Press.
- Fernandes, Florestan. 1971. *The Negro in Brazilian Society*. n.p.: University of Texas.
- Foner, Eric. 2015. *A Short History of Reconstruction, Updated Edition*. n.p.: Harper Perennial Modern Classics.
- Fontaine, Pierre-Michel. 1985. *Race, Class, and Power in Brazil*. n.p.: Los Angeles: Center for Afro-American Studies, University of California.
- Frederick, Cooper, and Stoler Ann Laura. 1997. *Tensions of Empire: Colonial Cultures in a Bourgeois World*. n.p.: University of California Press.
- Freyre, Gilberto. 1986. *The Masters and the Slaves = Casa-Grande & Senzala: A Study in the Development of Brazilian civilization*. n.p.: Berkeley: University of California Press.
- Frymer, Paul. 1999. *Uneasy Alliances: Race and Party Competition in America*. n.p.: Princeton University Press.
- Gilroy, Paul. 1999. *The Black Atlantic: Modernity and Double Consciousness*. n.p.: Verso.
- Gilroy, Paul. 2000. *Against Race: Imagining Political Culture beyond the Color Line*. n.p.: Cambridge, Mass.: Belknap Press of Harvard University Press.
- Gipson, Lawrence Henry. 1958. *The British Empire before the American Revolution*. n.p.: New York, Knopf.
- Goldberg, David Theo. 2014. *Sites of Race*. n.p.: Hoboken: Wiley.
- Goldstein, Donna M. 2003. *Laughter out of Place: Race, Class, Violence, and Sexuality in a Rio Shantytown*. n.p.: Berkeley: University of California Press.
- Graham, Richard. 1990. *Patronage and Politics in Nineteenth-Century Brazil*: Stanford, California: Stanford University Press.

- Hajnal, Zoltan, and Taeku Lee. 2011. *Why Americans Don't Join the Party: Race, Immigration, and the Failure (of Political Parties) to Engage the Electorate*. Princeton, New Jersey: Princeton University Press.
- Hall, Stuart. 1979. "Culture, the Media and the 'Ideological Effect.'" In: Curran, James et. al. 1979. *Mass Communication and Society*. Beverly Hills: Sage. Chapter 13, pages 315-347.
- Hanchard, Michael George. 1994. *Orpheus and Power: The Movimento Negro of Rio de Janeiro and São Paulo, Brazil, 1945-1988*. Princeton, N.J.: Princeton University Press.
- Hanchard, Michael George. 2000. "Racism, Eroticization, and the Paradoxes of a U.S. Black Researcher in Brazil" in *Racing Research, Researching Race: Methodological Dilemmas in Critical Race* ed. France Winddance Twine and Jonathan W. Warren. New York: New York University Press.
- Harding, Sandra G. 2008. *Sciences from Below: Feminisms, Postcolonialities, and Modernities*. n.p.: Durham: Duke University Press.
- Hellwig, David J. 1992. *African-American Reflections on Brazil's Racial Paradise*. n.p.: Philadelphia: Temple University Press.
- Heringer, Rosana, Ollie Johnson, and Ollie A. Johnson III. 2016. *Race, Politics, and Education in Brazil: Affirmative Action in Higher Education*. n.p.: New York: Palgrave Macmillan.
- Hirsch, Fred. 1976. *Social Limits to Growth*. n.p.: Cambridge, Massachusetts: Harvard University Press.
- Hordge-Freeman, Elizabeth. 2015. *The color of Love: Racial Features, Stigma, and Socialization in Black Brazilian Families*. n.p.: Austin: University of Texas Press.
- Horton, Carol A. 2005. *Race and the Making of American Liberalism*. n.p.: New York; Oxford: Oxford University Press.
- Horvath, Ronald J. 1972. "A Definition of Colonialism." *Current Anthropology*, 1972. 45.
- Ibarra, Robert A. 2001. *Beyond Affirmative Action: Reframing the Context of Higher Education*. Madison, WI: University of Wisconsin Press.
- J.P. 2010. "Comparing Brazil and the United States: American Brothers." *The Economist*. August, São Paulo.
http://www.economist.com/blogs/americasview/2010/08/comparing_brazil_and_united_states
- Jones, Bradley, and Roopali Mukherjee. 2010. "From California to Michigan: Race, Rationality, and Neoliberal Governmentality." *Communication & Critical/Cultural Studies* 7, no. 4: 401.

- Jordan, Winthrop D. 1968. *White over Black: American Attitudes toward the Negro, 1550-1812*. n.p.: Chapel Hill, Published for the Institute of Early American History and Culture at Williamsburg, Va., by the University of North Carolina Press.
- Jung, Moon-Kie, João Costa Vargas, and Eduardo Bonilla-Silva. 2011. *State of White Supremacy: Racism, Governance, and the United States*. n.p.: Palo Alto: Stanford University Press.
- Kellough, J. Edward. 2006. *Understanding Affirmative Action: Politics, Discrimination, and the Search for Justice*. n.p.: Washington, D.C.: Georgetown University Press.
- Kinder, Donald R., and Allison Dale-Riddle. 2012. *The End of Race?: Obama, 2008, and Racial Politics in America*. n.p.: Yale University Press.
- King, Desmond S., and Rogers M. Smith. 2011. *Still a House Divided: Race and Politics in Obama's*. n.p.: Princeton, New Jersey: Princeton University Press.
- Kipling, Rudyard. 1998. "The White Man's Burden(*)" *Peace Review* 10, no. 3: 311.
- Kramer, Whitney. 2013. "Brazil and the Law of Social Quotas: An Analysis of Whether Brazil's Recent Affirmative Action Law Would Survive Review Under U.S. Constitutional Standards." *Journal of Law and Education* 42, no. 2: 373-379.
- Krieger, Linda Hamilton. 1998. "Civil Rights Perestroika: Intergroup Relations after Affirmative Action." *California Law Review* no. 6: 1251.
- Lee, Jennifer, and Frank D. Bean. 2012. "A Postracial Society or a Diversity Paradox?" *Du Bois Review: Social Science Research On Race* 9, no. 2: 419
- Levine, Robert M. 1998. *Father of the Poor?: Vargas and his Era*. n.p.: New York: Cambridge University Press.
- Lieberman, Evan S. 2005. "Nested Analysis as a Mixed-Method Strategy for Comparative Research." *American Political Science Review* 99, no. 3: 435.
- Litwack, Leon M. 2009. *North of Slavery: The Negro in the Free States*. n.p.: Chicago and London: The University of Chicago Press.
- Loury, Glenn C. 2002. *The Anatomy of Racial Unequality*. Cambridge, MA: Harvard University Press.
- Lowi, Theodore. 1992. The State in Political Science: How We Became What We Study. *American Political Science Review*, 86(1), 1-7.
- Machado-Borges, Thaïs. 2009. "Producing Beauty in Brazil: Vanity, Visibility and Social Inequality." *Vibrant – Virtual Brazilian Anthropology* 6:1, 208-236.

- Maio, Marcos Chor. 1999. " O Projeto Unesco e a Agenda das Ciências Sociais no Brasil Dos Anos 40 e 50*." *Revista Brasileira de Ciências Sociais* vol.14 n.41.
- Marable, Manning. 2007. *Race, Reform, and Rebellion: the Second Reconstruction and beyond in Black America, 1945 - 2006*. n.p.: Palgrave Macmillan.
- McAdam, Doug. 1999. *Political Process and the Development of Black Insurgency, 1930-1970*. n.p.: Chicago: University of Chicago Press.
- Mehta, Uday Singh. 1999. *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought*. n.p.: Chicago : University of Chicago Press.
- Memmi, Albert, and Robert Bononno. 2006. *Decolonization and the Decolonized*. n.p.: Minneapolis: University of Minnesota Press.
- Memmi, Albert. 1957. *The Colonizer and the Colonized*. n.p.: Routledge, 2013.
- Meyer, David S. 2007. *The Politics of Protest: Social Movements in America*. n.p.: New York: Oxford University Press.
- Mignolo, Walter. 2011. *The Darker Side of Western Modernity: Global Futures, Decolonial Options*. Durham: Duke University Press.
- Mills, Charles W. 1997. *The Racial Contract*. n.p.: Ithaca: Cornell University Press.
- Mitchell-Walthour, Gladys. 2016. "Afro-Brazilian Support for Affirmative Action" in *Race, Politics, and Education in Brazil: Affirmative Action in Higher Education*, ed. Rosana Heringer, Ollie Johnson, Ollie A. Johnson III. Springer Publishing.
- Morrow, Raymond Allen, and Carlos Alberto Torres. 2002. *Reading Freire and Habermas: Critical Pedagogy and Transformative Social Change*. n.p.: New York: Teachers College Press.
- Nascimento, Abdias do. 1989. *Brazil, Mixture or Massacre?: Essays in the Genocide of a Black people*. n.p.: Dover, MA : Majority Press.
- Omi, Michael, and Howard Winant. 2015. *Racial Formation in the United States*. n.p.: New York: Routledge/Taylor & Francis Group.
- O'Reilly, Kenneth. 1995. *Nixon's Piano: Presidents and Racial Politics from Washington to Clinton*. n.p.: New York: Free Press.
- Osgood, Herbert L. 1958. *The American Colonies in the Eighteenth Century*. n.p.: Gloucester, Mass., P. Smith.
- Parker, Christopher P., Boris B. Baltes, and Neil D. Christiansen. 1997. "Support for Affirmative Action, Justice Perceptions, and Work Attitudes: A Study of Gender and Racial-Ethnic Group Differences." *Journal of Applied Psychology* no. 3: 376.

- Pateman, Carole, and Charles Mills. 2013. *The Contract and Domination*. n.p.: Oxford: Wiley.
- Plank, David Nathan. 1996. *The Means of our Salvation: Public Education in Brazil, 1930-1995*. n.p.: Boulder, Colorado: Westview Press.
- Prakash, Gyan. 1995. *After Colonialism: Imperial Histories and Postcolonial Displacements*. n.p.: Princeton, New Jersey: Princeton University Press.
- Psacharopoulos, George. 1987. *Earnings and Education in Brazil: Evidence from the 1980 Census. Education and training series discussion paper; no. EDT 90*. Washington, D.C.: The World Bank.
- Psacharopoulos, George. 2006. "The Value of Investment in Education: Theory, Evidence, and Policy." *Journal of Education Finance* 32, no. 2: 113-136.
- Psacharopoulos, George. 2007. "The Cost of School Failure: A Feasibility Study." In *European Expert of Economics of Education*, 1-48.
- Psacharopoulos, George. 2009. "Education for Development: The Broader Picture." In *Social Capital and Human Development*, 77-109.
- Rana, Aziz. 2010. *The Two Faces of American Freedom*. n.p.: Cambridge, Massachusetts: Harvard University Press.
- Reiter, Bernd. 2006. "The Hermeneutic Foundations of Qualitative Research," *Qualitative Methods*, Vol. 4, No. 2.
- Reiter, Bernd. 2009. *Negotiating Democracy in Brazil: The Politics of Exclusion*. n.p.: Boulder: First Forum Press.
- Reiter, Bernd and Gladys Mitchell (Editors) 2009. *Brazil's New Racial Politics*. Lynn Reinner Publishers.
- Sabot, R. H., and Nancy Birdsall. 1996. *Opportunity Foregone: Education in Brazil/Nancy Birdsall and Richard H. Sabot, editors*. n.p.: Washington, D.C.: Inter-American Development Bank; Baltimore, Maryland: Distributed by the Johns Hopkins University Press.
- Said, Edward W. 1994. *Culture and Imperialism*. n.p.: New York: Vintage Books.
- Said, Edward W. 1979. *Orientalism*. n.p.: New York: Vintage Books.
- Sansone, Livio. 2003. *Blackness Without Ethnicity: Constructing Race in Brazil*. n.p.: New York: Palgrave.
- Schwarcz, Lilia Moritz. 1999. *The Spectacle of the Races: Scientists, Institutions, and the Race Question in Brazil, 1870-1930*. United States of America: Hill and Wang.

- Schwartz, Stuart. 1985. *Sugar Plantations in the Formation of Brazilian Society, Bahia, 1550-1835*. n.p.: Cambridge University Press.
- Selden, Sally Coleman, Jeffrey L. Brudney, and J. Edward Kellough. 1998. "Bureaucracy as a Representative Institution: Toward a Reconciliation of Bureaucratic Government and Democratic Theory." *American Journal of Political Science* no. 3: 717.
- Selmi, Michael. 1994. "Testing for Equality: Merit, Efficiency, and the Affirmative Action Debate." *UCLA Law Review* no. 5: 1251.
- Sen, Amartya. 2005. "Human Rights and Capabilities." *Journal Of Human Development* 6, no. 2: 151-166.
- Sérgio Da Silva Martins, Carlos Alberto Medeiros, and Elisa Larkin Nascimento. 2004. "Paving Paradise: The Road from "Racial Democracy" to Affirmative Action in Brazil." *Journal of Black Studies* 34, no. 6: 787-816.
- Sheriff, Robin E. 2001. *Dreaming Equality: Color, Race, and Racism in Urban Brazil*. United Kingdom: Rutgers University Press.
- Silva, Benedita da, Medea Benjamin, and Maria Luisa Mendonça. *Benedita da Silva: An Afro-Brazilian Woman's Story of Politics and Love*. n.p.: Oakland, California: Institute for Food and Development Policy.
- Skidmore, Thomas E. 1974. *Black into White: Race and Nationality in Brazilian Thought*. n.p.: New York, Oxford University Press.
- Skidmore, Thomas E. 1993. "Bi-Racial U.S.A. vs. Multi-Racial Brazil: Is the Contrast Still Valid?" *Journal of Latin American Studies* 25, no. 2 (1993): 373-86.
- Skidmore, Thomas E. 2010. *Brazil: Five Centuries of Change*. n.p.: New York: Oxford University Press.
- Sleeper, Jim. 1997. *Liberal Racism*. n.p.: New York: Viking.
- Smart, Barry. 1985. *Michel Foucault*. n.p.: Chichester: Ellis Horwood.
- Smedley, Audrey, and Brian D. Smedley. 2011. *Race in North America: Origin and Evolution of a Worldview*. n.p.: Boulder, Colorado: Westview Press.
- Smith, Emma. 2008. *Using Secondary Data in Educational and Social Research*. [electronic resource]. n.p.: Maidenhead New York, NY : McGraw Hill/Open University Press.
- Sokoloff, Kenneth L., and Stanley L. Engerman. 2009. "History Lessons: Institutions, Factor Endowments, and Paths of Development in the New World." In *Inequality and Economic Development: The Modern Perspective*, 191-206.

- Stepan, Nancy. 1991. *The Hour of Eugenics: Race, Gender, and Nation in Latin America*. n.p.: Cornell University Press.
- Stoler, Ann Laura. 1996. *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things*. n.p.: Duke Univ. Press.
- Stoler, Ann Laura. 2010. *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule*. n.p.: Berkeley: University of California Press.
- Swain, Carol M. 2002. *The New White Nationalism in America: Its Challenge to Integration*. Cambridge; New York: Cambridge University Press.
- Swain, Carol M. 2006. *Black Faces, Black Interests: The Representation of African Americans in Congress*. n.p.: University Press.
- Tate, Katherine. 2003. *Black Faces in the Mirror: African Americans and their Representatives in the U.S.* n.p.: Princeton, New Jersey: Princeton University Press.
- Telles, Edward Eric. 2014. *Pigmentocracies: Ethnicity, Race, and Color in Latin America*. n.p.: Chapel Hill, NC : University of North Carolina Press.
- Telles, Edward Eric. 2004. *Race in another America: The Significance of Skin Color in Brazil*. n.p.: Princeton, New Jersey: Princeton University Press.
- Tesler, Michael and David O. Sears. 2010. *Obama's Race: The 2008 Election and the Dream of a Post-Racial America*. Chicago: The University of Chicago Press
- Tierney, W. G. 1997. "The Parameters of Affirmative Action: Equity and Excellence in the Academy." *Review of Educational Research* 67, no. 2: 165-196.
- Twine, France Winddance. 1998. *Racism in a Racial Democracy: The Maintenance of White Supremacy in Brazil*. n.p.: Rutgers University Press.
- Twine, France Winddance, and Jonathan W. Warren. 2000. *Racing Research, Researching Race: Methodological Dilemmas in Critical Race Studies*. n.p.: New York: New York University Press.
- Waltz, Kenneth Neal. 1959. *Man, The State, and War: A Theoretical Analysis*. n.p.: New York: Columbia University Press.
- Wallerstein, Immanuel Maurice. 1995. *After Liberalism*. n.p.: New York: New Press: Distributed by W.W. Norton.
- Williams, Ryan C.1. 2013. "Originalism and the Other Desegregation Decision." *Virginia Law Review* 99, no. 3: 493-600.
- Woodward, Vann C. 2001. *The Strange Career of Jim Crow*. n.p.: Oxford University Press.

Woolley, Benjamin. 2008. *Savage Kingdom: The True Story of Jamestown, 1607, and the Settlement of America*. n.p.: New York: Harper Perennial.

Young, Robert. 2009. *Postcolonialism: An Historical Introduction*. n.p.: Blackwell.

Appendices

ⁱ Appendix A

The First Confiscation Act

Chapter LX.

An Act to confiscate Property used for Insurrectionary Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

Section 2.

And be it further enacted, That such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

Section 3.

And be it further enacted, That the Attorney-General, or any district attorney of the United States in which said property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

Section 4.

And be it further enacted, That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law

of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

APPROVED, August 6, 1861.

U.S., Statutes at Large, Treaties, and Proclamations of the United States of America, vol. 12 (Boston, 1863), p. 319.

The Second Confiscation Act

Chapter CXCIV.

An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

Section 2.

And be it further enacted, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid and comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the court.

Section 3.

And be it further enacted, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

Section 4.

And be it further enacted, That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

Section 5.

And be it further enacted, That, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, stocks, credits, and effects of the persons hereinafter named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States, that is to say:

First. Of any person hereafter acting as an officer of the army or navy of the rebels in arms against the government of the United States.

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or consul of the so-called confederate states of America.

Thirdly. Of any person acting as governor of a state, member of a convention or legislature, or judge of any court of any of the so-called confederate states of America.

Fourthly. Of any person who, having held an office of honor, trust, or profit in the United States, shall hereafter hold an office in the so-called confederate states of America.

Fifthly. Of any person hereafter holding any office or agency under the government of the so-called confederate states of America, or under any of the several states of the said confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: Provided, That the persons, thirdly, fourthly, and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the state, or shall have taken an oath of allegiance to, or to support the constitution of the so-called confederate states.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Section 6.

And be it further enacted, That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in armed

rebellion against the government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, moneys, stocks, and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid or the proceeds thereof. And all sales, transfers, or conveyances, of any such property after the expiration of the said sixty days from the date of such warning and proclamation shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Section 7.

And be it further enacted, That to secure the condemnation and sale of any of such property, after the same shall have been seized, so that it may be made available for the purpose aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to proceedings in admiralty or revenue cases, and if said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property and become the property of the United States, and may be disposed of as the court shall decree and the proceeds thereof paid into the treasury of the United States for the purposes aforesaid.

Section 8.

And be it further enacted, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such deeds and conveyances to be executed and delivered by the marshals thereof where real estate shall be the subject of sale, as shall fitly and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto. And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

Section 9.

And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such person found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

Section 10.

And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is

alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Section 11.

And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

Section 12.

And be it further enacted, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

Section 13.

And be it further enacted, That the President is hereby authorized, at any time hereafter, by proclamation, to extend to persons who may have participated in the existing rebellion in any State or part thereof, pardon and amnesty, with such exceptions and at such time and on such conditions as he may deem expedient for the public welfare.

Section 14.

And be it further enacted, That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

APPROVED, July 17, 1862.

<http://www.freedmen.umd.edu/conact2.htm>

ii **Appendix B**

Amendment XIII

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

Congress shall have power to enforce this article by appropriate legislation.

APPROVED, January 31, 1865.

<https://www.law.cornell.edu/constitution/amendmentxiii>

iii **Appendix C**

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2.

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

APPROVED, July 9, 1868.

<https://www.law.cornell.edu/constitution/amendmentxiv>

iv **Appendix D**

Civil Rights Act of 1866, 14 Stat. 27 (1866)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

Section 2.

And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

Section 6.

And be it further enacted, That any person who shall knowingly and wilfully obstruct, hinder, or prevent any officer, or other person charged with the execution of any warrant or process issued under the provisions of this act... [shall] be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months....

Civil Rights Act of 1870 (The Enforcement Act), 16 Stat. 140 (1870)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election... shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude....

Section 2.

And be it further enacted, That it shall be the duty of every person and officer to give to all citizens of the United States the same and equal opportunity to perform [any] prerequisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any person or officer shall refuse or knowingly omit to give full effect to this section, he

shall... be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Section 6.

And be it further enacted, That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court,-the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years,- and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit, or trust created by the Constitution or laws of the United States.

Section 17.

And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by the last preceding section [giving all persons the same rights as white citizens] of this act, or to different punishment, pains, or penalties on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

Civil Rights Act of 1871, 17 Stat. 13 (1871)

Section 2.

That if two or more persons within any State or Territory of the United States shall conspire together to overthrow, or to put down, or to destroy by force the government of the United States, or to levy war against the United States, or to oppose by force the authority of the government of the United States, or by force, intimidation, or threat to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, or by force, intimidation, or threat to prevent any person from accepting or holding any office or trust or place of confidence under the United States, or from discharging the duties thereof, or by force, intimidation, or threat to induce any officer of the United States to leave any State, district, or place where his duties as such officer might lawfully be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or to injure his person while engaged in the lawful discharge of the duties of his office, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duty, or by force, intimidation, or threat to deter any party or witness in any court of the United States from attending such court, or from testifying in any matter pending in such court fully, freely, and truthfully, or to injure any such party or witness in his person or property on account of his having so attended or testified, or by

force, intimidation, or threat to influence the verdict, presentment, or indictment, of any juror or grand juror in any court of the United States, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or on account of his being or having been such juror, or shall conspire together, or go in disguise upon the public highway or upon the premises of another for the purpose, either directly or indirectly, of depriving any person or any class of persons of the equal protection of the laws, or of equal privileges or immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State from giving or securing to all persons within such State the equal protection of the laws, or shall conspire together for the purpose of in any manner impeding, hindering, obstructing, or defeating the due course of justice in any State or Territory, with intent to deny to any citizen of the United States the due and equal protection of the laws, or to injure any person in his person or his property for lawfully enforcing the right of any person or class of persons to the equal protection of the laws, or by force, intimidation, or threat to prevent any citizen of the United States lawfully entitled to vote from giving his support or advocacy in a lawful manner towards or in favor of the election of any lawfully qualified person as an elector of President or Vice-President of the United States, or as a member of the Congress of the United States, or to injure any such citizen in his person or property on account of such support or advocacy, each and every person so offending shall be deemed guilty of a high crime, and, upon conviction thereof in any district or circuit court of the United States or district or supreme court of any Territory of the United States having jurisdiction of similar offences, shall be punished by a fine not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, as the court may determine, for a period of not less than six months nor more than six years, as the court may determine, or by both such fine and imprisonment as the court shall determine....

Civil Rights Act of 1875

Whereas, it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Section 2.

That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every

such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offense, be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year....

Section 3.

That the district and circuit courts of the United States shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses against, and violations of, the provisions of this act. . . .

Section 4.

That no citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State, on account of race, color, or previous condition of servitude; and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars.

Section 5.

That all cases arising under the provisions of this act . . . shall be renewable by the Supreme Court of the United States, without regard to the sum in controversy. . . .

<http://teachingamericanhistory.org/library/document/civil-rights-act-of-1875/>

Appendix E

FUVEST

Histórico

Idealismo e entusiasmo foram alguns dos requisitos que levaram, em 1965, os estudantes de Medicina João Carlos Di Genio e Dráuzio Varella e os médicos Roger Patti e Tadasu Itto a fundar um pequeno curso preparatório para as faculdades de Medicina, na região central da cidade de São Paulo.

O sucesso alcançado nos exames daquele ano pelos alunos por eles preparados fez com que, já em 1966, o Curso Objetivo fosse um dos maiores da cidade. A intenção sempre foi o desenvolvimento de um projeto educacional mais abrangente; por isso, a partir do pequeno curso preparatório, o Objetivo transformou-se na maior instituição de ensino do Brasil.

Em 1970, foi criado o Colégio Objetivo, com currículo de Ensino Médio. Em 1972, foram implantadas as Faculdades Objetivo, embrião da futura Universidade Paulista – UNIP, atualmente a universidade que mais cresce no país.

Em 1974, nasceu o Colégio Objetivo Júnior, abrangendo a Educação Infantil e o Ensino Fundamental.

Em 1982, foi criado o Centro de Pesquisa e Tecnologia Objetivo (CPT), mais tarde batizado CPT – UNIP/Objetivo. Professores e pesquisadores do CPT são os responsáveis pela implementação das mais diversas atividades educacionais.

Em 1988, as Faculdades Objetivo transformaram-se na Universidade Paulista – UNIP, com o reconhecimento do Ministério da Educação e Cultura. Em 1992, foram implantados cursos de pós-graduação voltados tanto para aperfeiçoamento e especialização profissional como para pesquisa.

Hoje, a instituição abrange o ciclo completo do sistema educacional brasileiro, da educação infantil à pós-graduação universitária.

O Objetivo foi a primeira instituição de ensino brasileira a integrar o Conselho Mundial para Superdotados, em reconhecimento ao seu programa de incentivo ao talento (POIT).

Aulas via satélite (Projeto Ensate), via Internet, por CD-ROM ou em plena natureza (Projeto Paranoá, Escolas do Mar e da Natureza). Robótica, inteligência artificial, sistema de TV interno, Teatro-Laboratório, “Salas de Aula do Futuro” e, o próximo passo, televisão digital interativa – todas essas iniciativas confirmam o pioneirismo do Objetivo ao longo de seus quarenta e um anos de vida. Afinal, desde o início de suas atividades, o Centro Educacional Objetivo apóia-se sobre a idéia de que a educação tem um compromisso com a realidade em constante mudança. Para tanto, opera de modo flexível e dinâmico, com os olhos postos no futuro. Envolve crianças

e jovens no ritmo dos avanços tecnológicos. Faz da educação continuada dos alunos e professores o eixo de suas preocupações.

English Translation

Historic

Idealism and enthusiasm were some of the requirements that led in 1965 to medical students João Carlos Di Genio and Dráuzio Varella and doctors Roger Patti and Tadasi Itto to found a short preparatory course for medical schools in the central part of the City of São Paulo.

The success achieved in the examinations of that year by the students prepared by them made, already in 1966, the Objective Course was one of the largest in the city. The intention has always been the development of a more comprehensive educational project; Therefore, from the short preparatory course, the Objective has become the largest teaching institution in Brazil.

In 1970, the objective college was created, with a high school curriculum. In 1972, the objective faculties were implanted, embryo of the future Paulista University - UNIP, currently the fastest growing university in the country.

In 1974, the Junior Objective College was born, covering Infant Education and Elementary Education.

In 1982, the Center for Research and Technology Objective (CPT) was created, later named CPT - UNIP / Objective. CPT professors and researchers are responsible for implementing a wide range of educational activities.

In 1988, the Objective Faculties became the Paulista University - UNIP, with the recognition of the Ministry of Education and Culture. In 1992, postgraduate courses were set up for both professional development and specialization as well as research.

Today, the institution covers the complete cycle of the Brazilian educational system, from pre-school to university education.

The objective was the first Brazilian teaching institution to join the World Council for Gifted, in recognition of its talent incentive program (POIT).

Satellite classes (Ensat Project), via the Internet, CD-ROM or in full nature (Paranoá Project, Sea and Nature Schools). Robotics, artificial intelligence, internal TV system, Theater-Laboratory, "Classrooms of the Future" and the next step, interactive digital television - all these initiatives confirm the pioneering goal of the Goal throughout its forty-one years. After all, from the beginning of its activities, the Educational Center Objective is based on the idea that education has a commitment to the constantly changing reality. To do so, it operates flexibly and dynamically, with its eyes set on the future. It involves children and young people in the rhythm of technological advances. It makes the continuing education of students and teachers the axis of their concerns.

Introduction Email

ENGLISH

Good Afternoon,

My name is Alexis Nicole Mootoo. I am a doctoral candidate in the Government program in the Government and International Affairs department at the University of South Florida (USF).

I seek to interview African-American students, faculty and staff at CUNY and surrounding universities/colleges to understand their experiences as Afro-descendants in liberal spaces. I would like to understand how they feel and whether their Afro-Descendant heritage plays a role in their professional/educational/personal successes/challenges while affiliated with their respective universities/colleges.

My research topic is structural racism. Using a comparative approach, I want to understand the differences in Afro-descendants' experiences operating in university/college settings in a post racial state (the United States) and a state purporting to be a racial democracy (Brazil).

I am comparing New York State/New York City and São Paulo State/ the City of São Paulo. Both states/cities employ affirmative action to garner greater diversity and to yield higher rates of minority groups' admission in publicly funded universities/colleges.

I intend to come to New York City September 21st through the 25th, 2016. Please feel free to contact me at 813-210-6031 or at amootoo@usf.edu.

PORTUGUESE

Olá.

Meu nome é Alexis Nicole Mootoo. Eu sou um doutoranda em da University of South Florida, Departamento de Governo e Assuntos Internacionais. Meu principal é Ciência Política. Eu gostaria de falar com os professores, funcionários e alunos que podem falar comigo sobre suas experiências como afro-descendentes em nas universidades e na vida.

Minha pesquisa é sobre o racismo estrutural. I procurar entender se ou como estrutural o racismo existe e é reproduzido na sociedade e universidades especificamente. Sinto que as únicas pessoas que podem me dar essa informação são afro-descendentes, as pessoas que possivelmente poderia experimentar qualquer tipo de tratamento desigual por causa de sua cor da pele.

Por favor, considere me ajudar com minha pesquisa.

Por favor me escreva em amootoo@usf.edu para que possamos conversar. Eu estarei em São Paulo a partir de 21/04/2016 a 02/05/2016. Estou animada para se encontrar com você.