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Human rights, low education and black people in Brazil the challenges of the social breakthrough

Direitos humanos, baixa educação e negros no Brasil os desafios da superação social

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Abstract

Human rights and slavery are two topics that are closely related. Addressing the effects of slavery necessarily requires an analysis from the perspective of human rights. The enslaved people in Brazil were victims for more than three centuries, in a society permeated by cruelty and insensitivity. Even after the abolition of slavery in the country, the majority of formerly enslaved people still remain trapped in social inequality, reinforced by low education and consequent professional disqualification. The objective of this research was to analyze the consequences of this low level of education in the educational field, in the job market, in the housing system, as well as in the prison system. In these four areas, the presence or absence of Human Rights can be observed and analyzed. The bibliographic methodology was used to collect data, which were treated based on a descriptive analysis, as well as diagnosis, seeking to understand the causes of the phenomenon. The data obtained indicated a continuity of social inequalities in Brazil, arising from slavery, considered official until 1888 and veiled until today. It was concluded that low education prevented the social advancement of enslaved people, before and after the abolition of slavery, in the educational field, in the job market and in the housing system. Furthermore, the low level of education of enslaved people causes the prison system to become more dense.

Keywords: human rights. education. enslaved people. social breakthrough.

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Resumo

Direitos Humanos e escravidão são dois temas que se relacionam intimamente. Tratar dos efeitos da escravidão necessariamente exige uma análise sob a perspectiva dos direitos humanos. O povo escravizado no Brasil foi vítima ao longo de mais de três séculos, numa sociedade permeada de crueldade e insensibilidade. Mesmo após a abolição da escravatura no país, a maioria dos outrora escravizados ainda permanece presa a uma desigualdade social, reforçada pela baixa escolaridade e consequente desqualificação profissional. Objetivou-se na presente pesquisa analisar as consequências dessa baixa escolaridade no campo educacional, no mercado de trabalho, no sistema habitacional, bem como no sistema carcerário. Nessas quatro áreas, a presença ou ausência dos Direitos Humanos pode ser observada e analisada. Utilizou-se a metodologia bibliográfica para coleta de dados, que foram tratados a partir de uma análise descritiva, bem como diagnóstica buscando compreender as causas do fenômeno. Os dados obtidos indicaram uma continuidade das desigualdades sociais no Brasil, advindas da escravidão, considerada oficial até 1888 e velada até os dias atuais. Concluiu-se que a baixa escolaridade impediu o avanço social dos escravizados, antes e após a abolição da escravatura, no campo educacional, no mercado de trabalho e no sistema habitacional. Além disso, a baixa escolaridade dos escravizados provoca um adensamento no sistema carcerário.

Palavras-chave: direitos humanos. desafio social. educação. povo escravizado.

Introdução

When dealing with the social challenges faced by people who were once enslaved in Brazil or any other country, we cannot forget about issues related to Human Rights, as these are a category of rights guaranteed to any human being, supported by the Universal Declaration of Human Rights.

The first mentions of Human Rights can be seen in the American Civil War and the French Revolution. The American Civil War, also known as the American Civil War, lasted from 1861 to 1865, involving the northern and southern states of the USA.

The main cause of this war, the enslavement of black people, ended up sparking a discussion about Human Rights, which continues to this day. “Considered the worst conflict in the North American territory, the American Civil War ended with a death toll of 600 thousand and the end of slavery in the United States” (LEMONS, 2023, p. 1). However, this war raised the discussion about Human Rights, which later led, in 1789, to the drafting of the United States Bill of Rights or Declaration of the Rights of Citizens of the United States, which are the first ten amendments to the Constitution of the United States of America (LIBRARY OF CONGRESS, 2024).

The United States Bill of Rights prohibits Congress from making laws that violate human rights. Therefore, the American Congress cannot legislate to prohibit the free exercise of any religion. It also cannot violate the “right of the people to keep and bear arms,” so that slavery would never again be a possibility in society (LIBRARY OF CONGRESS, 2024), nor “deprive any person of life, liberty, or property, without due process of law” (LIBRARY OF CONGRESS, 2024). Concomitantly with the promulgation of the United States Bill of Rights, the French Revolution also occurred in 1789, preaching equality, liberty, and fraternity.

Although official slavery was abolished, it is still possible to see many challenges faced by the formerly enslaved people, still under the effects of times of torture.

Finally, in 1948, the Universal Declaration of Human Rights was published, greatly influenced by the United States Bill of Rights and the ideals defended by the

French Revolution. Despite this Universal Declaration of Human Rights ensuring all people their basic rights, the black people who were once enslaved still face the challenges of social breakthrough. Article 4 of the Universal Declaration of Human Rights states that “no one shall be held in conditions of slavery or servitude” (UNICEF, 2024). Addressing the social challenges of a people who was once enslaved in Brazil is addressing Human Rights, because slavery is dehumanizing.

Since the end of the Second World War and, consequently, the creation of the State of Israel, Human Rights have become part of not only the academic field, but also the political debate. “From the mid-20th century onwards, human rights have gained extreme relevance, becoming internationally recognized as a response to the horrors practiced in the concentration camps of Nazi Germany” (CAMBI; FAQUIM, 2018, p. 445).

The process of universalization of human rights has allowed the formation of an international system of protection of these rights. This system is integrated by international protection treaties that reflect, above all, the contemporary ethical conscience shared by States, insofar as they invoke international consensus on issues central to human rights, in the search for the safeguarding of minimum protective parameters – the “irreducible ethical minimum” (PIOVE-SAN, 2015, p. 49).

Human Rights, therefore, are of fundamental importance in the study of the social breakthrough of those who, in the past, arrived in Brazil as slaves and, even after the abolition of slavery, continued to suffer the consequences imposed by the time of slavery.

Slavery in Brazil, although officially abolished in 1888, still causes social difficulties of all kinds. Thus, the people who were victims of slavery in the past are still currently under the influence of the lack of social support. The present research aimed to verify the relationship between the education factor and the living conditions of the people formerly enslaved in the country. The aim was to analyze the consequences of low schooling in the educational field, in the labor market, in the housing system, as well as its influence on the prison system.

The bibliographic methodology was used to collect data, from primary and secondary sources, through data collection in the most diverse books and scientific articles, theses and dissertations, yearbooks, newspapers and laws enacted during the time of slavery in Brazil. The data collected were treated based on descriptive and diagnostic analysis, seeking to understand the causes of the phenomenon.

Through descriptive analysis, a diagnosis was made of the data collected, seeking to understand and describe the current consequences arising from slavery in Brazil. Diagnostic analysis, in turn, was applied to the research with the aim of finding cause and effect relationships to understand the current consequences of slavery in the country. Since much of the data regarding official slavery in Brazil is part of past events, establishing a relationship between this data and the current situation of a people who were once enslaved is not an easy task. For this reason, the diagnostic analysis process was based on probabilities, seeking to establish the relationship between the past situation of slavery and social conditions in the present times.

The research sought to analyze the relationship between low education levels and competitiveness in the labor market. It also considered the relationship between low education levels and the housing deficit, referring to the population that was once

enslaved and currently deprived of economic powers that favor them. Finally, the research analyzed the relationship between low levels of education and the overcrowding of the prison system, from the perspective of black or brown people, since this population segment is historically considered to be descendants of those who were enslaved in Brazil.

As a theoretical contribution, this article deepens the discussion on the relationship between slavery in Brazil and the social inequalities that have emerged over the years, which have not yet been remedied, either through public policies or by private initiative.

The results of the research point to an increase in social inequalities. It was noted that low levels of education caused black people to occupy low-skilled positions in the job market. As a result, these people became less competitive in this market. Low levels of education were also a key factor in the housing deficit. The research revealed that black people have more difficulty obtaining their own home. Furthermore, low levels of education are directly related to the population concentrated in the prison system. Black people make up the largest population in the prison system and their relationship with low levels of education was verified, proving to be high.

The data obtained indicated a continuation of social inequalities in Brazil, stemming from the time of slavery. It was concluded that low levels of education prevented the social advancement of slaves, before and after the abolition of slavery, not only in the educational field, but also in the job market and housing system. Furthermore, the low level of education among slaves led to an increase in the number of prisoners in the prison system.

This article has been organized into distinct parts, in which the development of the discussion and analysis is presented: a) Introduction, b) Bibliographic Review, in which a theoretical framework is discussed and defined, c) Methodology, d) Discussion of Data, in which the four variables affected by low level of education are analyzed: educational field, labor market, housing system and prison system, and, finally, e) Final Considerations.

Justification and bibliographic review

Enslaved people in Brazil have always had to make an effort to survive in society. Not only slavery has victimized them throughout history, but also the conditions at which they have been thrown after the abolition of slavery. These have turned them into survivors in a mostly oppressive system.

Since the end of slavery, black people have had to deal with obstacles to their social ascent and even to their survival. If, on the one hand, the release from senzalas (slave houses) represented the dream come true of freedom of each captive black, on the other hand, it has also represented the beginning of the whole social exclusion reserved to this portion of society until the present days (CAMPOS, 2007, pg. 1).

Over more than three centuries, 4.9 million Africans were transported and sold as slaves to Brazil (ROSSI, 2018), while other 670,000 died on the way. No other place in the world has ever received as many slaves as Brazil. It is an alarming number, mainly when compared to the USA, which received, in the same period, 389,000 slaves (ROSSI, 2018). The peak of slavery occurred from 1750 to 1850, the year in which trafficking was forbidden. In this period, about 7,000 Portuguese or Brazilian ships

docked the coast, bringing slaves from Africa (ORTIZ, 2022). Once Brazil became independent in 1822, Brazilian ships continued trafficking slaves, as much as the Portuguese did it in the past.

The years pass by and when the abolition of slavery takes place, on May 13, 1888, approximately 700,000 slaves are freed (ORTIZ, 2022). These men and women, despite free, do not have any social support, having to survive the way they can. Without a home, the victims of slavery had to seek shelter in caves, hills or forests.

Amongst all sorts of lack of social support, this people, now officially free, had to fight with all their strength to beat the challenge of surviving without support from society and with no educational qualification. Almost the totality of the people, formerly enslaved, did not know how to read nor write. Adults and mainly children were completely illiterate. How to survive without educational qualification? How could one survive without lands to farm or even to build some kind of shelter for their family? How to survive without access to the means of production?

The years that followed the abolition of slavery were not easy. In fact, despite the progress in several areas related to human rights, it has not been easy lately as well. Without education, they hardly have access to good jobs, lands to farm and efficient machinery to produce commercial products.

The perception of need for educational qualification was soon grasped by black people, after the abolition of slavery. In colonial Brazil, there obviously were not any schools for black people, since they were not even considered humans, but simply work tools.

Even when schools spread in the Brazilian territory, only white people had access to education, unlike in the USA and other countries, where schools were built for white and black people, although racism had made them different and politically and geographically separate. There were schools for white people and schools for black people in distant areas to avoid potential conflicts. However, despite these factors, there were schools for black people, which did not exist in the Brazilian empire.

Since formal education was denied to black people, they sought ways to beat this challenge and start studying, even if informally.

Between 1860 and 1876, still in the period of Brazilian slavery, there was an attempt to educate black people through the school of teacher Antônio Cesarino, em Campinas, SP (SANTOS, 2013). Both Antônio Cesarino and his sisters were the children of a freed slave. Antônio Cesarino was only able to study because his father sold his pack of mules to pay for his studies. As soon as he graduated, he began teaching along with his sisters and wife, and dedicated himself to allow other black people to rise educationally.

Cesarino's school had a peculiarity. It offered free education to enslaved girls. During the day, the school only welcomed white girls. With the fee paid by white girls, Cesarino offered free study to black girls in the evening. During the classes, both day and night students learned how to read, write and solve mathematical problems. They also learned rules of etiquette, as well as how to sew, embroider and cook (SANTOS, 2013).

Another school for black people was run between 1853 and 1873, in Rio de Janeiro. This school belonged to a former slave called Pretextato, a literate black man who filed a suit at the court to allow his school to run (SILVA, 2002). Pretextato's school was able to have about fifteen poor students, who did not even have a surname. There are no records in history that explain how Pretextato was able to become literate.

These black people only managed to study with great difficulty, for admission to school was only accessible to those that fit in Brazilian decree 7031, from September

6, 1878.³ Decree 7031 stated that only over 14 year-old males, free or freed, healthy and vaccinated, could register at school. Women were excluded, as well as enslaved men, since it was impossible, after a hard day of work, to find time and physical and mental energy to study.

The Constitution of 1824 established that primary education should be free for all Brazilian citizens. However, not everyone had the right to citizenship at that time. As of the Constitutional Act of 1834, the provinces were given the power to legislate on Education, which led several of them to prohibit the presence of enslaved people in public schools. In the Neutral Municipality of the Court, in 1854, it is possible to verify that enslaved people are listed on the same level as contagious people, in its regulation of Primary and Secondary Public Education. The aforementioned regulation reads: Art. 69. The following will not be admitted to enrollment, nor will they be able to attend schools: § 1º Boys who suffer from contagious diseases. § 2º Those who have not been vaccinated. § 3º Slaves. (ALVES, 2019, p. 84).

It is noticeable in the history of Brazilian education that, since its beginning, this education has prioritized to address the educational needs of the white man, preventing the black population to access it and, consequently, the intellectual production.

Throughout Brazilian history, it is possible to see an enslaved people, completely exploited, with no possibility to reach superior social levels, because all access to social ascent was taken from them. Up until the beginning of the 20th century, with rare exceptions, such as Cesarino's and Pretextato's schools, nothing was done to educate black people, even after the abolition of slavery.

Having been denied to enter school, with no right to attend formal educational environments, the enslaved people continued their struggle, even after having conquered their freedom from slavery. Time has revealed that that people, formerly captive by slavery, is nowadays still captive, not in shackles or slave houses, but in the fetters of lack of educational qualification. This disqualification in the educational field has been preventing the majority of black people to rise socially.

The lack of conditions that favor the educational development of the formerly enslaved population is exacerbated by a process of injustices, which causes social invisibility. This invisibility is discussed by Oliveira *et al.* (2023), when they analyzed the possible users of the public prosecutor's office in the state of Bahia and discovered that the Brazilian justice system, under formal equality, ended up reproducing "injustices and inequalities", through a judicial system "permeated by racism, sexism and other systems of oppression" (OLIVEIRA; RAMOS; PENA, 2023, p.295).

Although slavery has been officially abolished in all countries, it can still be perceived unofficially in several countries. From this perspective, Kimberly *et al.* (2024) reveal that slavery is still present in more than 130 countries, in the most varied forms. This modern slavery can be observed in any form of forced human exploitation, whether as "forced labor, child labor, slavery itself, servitude, forced marriage, fraudulent recruitment, debt bondage or human trafficking" (KIMBERLY, 2024, p. 1). From this perspective, Delius, in a recent research in Sierra Leone, on the classification of women as wives or slaves, analyzed the strategies of colonial agents who made strategic distinctions between marriage and slavery to mask the continuation of slavery, which was only abolished in 1928, in that country (DELIUS, 2022).

Paradoxically, Brazil has experienced, since the abolition of slavery, the liberation of the formerly enslaved people and, concomitantly, their subjugation to

³ Articles 5 and 6 of **Decreto 7031-A de 06 de setembro de 1878**. Legislação Informatizada - Publicação Original. Available in: <http://www2.camara.leg.br/legin/fed/decret/1824-1899/decreto-7031-a-6-setembro-1878-548011-publicacaooriginal-62957-pe.html>> Access on October 16, 2023.

colonialist cultural standards. Thus, over the years, Brazil has experienced a colonialist culturalism that required “assimilation to the culture or way of life of those who lived in the metropolis, as being the standard of ‘being civilized’” (BLUM, 2023, p. 361). This standard perpetuated the social inequalities arising from slavery. In this sense, Andrade (2024) demonstrates that during the formation of Brazil, racism became a preponderant figure, allowing that, even after the abolition of slavery, the black population was used in unfavorable conditions and with low pay, when compared to white labor. From this perspective, Malighetti (2014) seeks to understand colonialist thinking and proposes ways for these colonized and enslaved peoples to promote the articulation and overcoming of socioeconomic inequalities, as well as the formal acquisition of conquered rights. Malighetti analyzes the mechanisms of colonial thinking and its resistance in contemporary public policies, comparing them with each other, through what he calls “fragmentary multiculturalist ideologies and practices” (MALIGHETTI, 2014, p. 1).

There is no doubt that slavery is the ultimate consequence of racism that officially prevailed in many countries until the end of the 19th century and, in some cases, until the beginning of the 20th century. Today, however, in a veiled manner, racism is still present and seeks to keep people who were once enslaved under similar forms of social oppression.

Racism is a belief in the existence of races hierarchized by the intrinsic relationship between the physical and the moral, the physical and the intellect, the physical and the cultural. For the racist, race is not only a group defined by its physical traits; racism is the direction that considers that the intellectual and moral characteristics of a group are linked to its physical and biological characteristics. The way in which slavery was justified has mythical, historical and even biblical origins and permeates the issue of racism (COELHO et al. 2019).

This article aims to discuss, not slavery itself, but the consequences of this slavery on the descendants of those who were once enslaved in Brazil. Therefore, we will discuss the effects of low schooling in the educational area itself, in the labor market, in the housing field and, finally, on the incarcerated population in Brazil.

Methodology

This research used a bibliographic methodology to collect data. Primary and secondary sources were treated using descriptive and diagnostic analysis, seeking to understand the causes of the phenomenon of slavery and its effects in the areas proposed for discussion in this article.

Through descriptive analysis, a diagnosis of the data was made to understand and describe the consequences of low education levels, perpetuated since the official times of slavery in Brazil, on those who were victims of this phenomenon. Diagnostic analysis, in turn, was applied to the research with the objective of finding cause and effect relationships to understand the current consequences of slavery in the country. Since much of the data related to official slavery in Brazil is part of past events, establishing a relationship between past data and the current situation of a people who were once enslaved is not a simple task. For this reason, the diagnostic analysis process was based on probabilities, seeking to establish a relationship between the past situation of slavery and social conditions in the present times.

One of the primary sources, consisting of articles 5 and 6 of Decree No. 7,031-A, dated September 6, 1878, was analyzed diagnostically, since it granted powers to school owners at the time to admit people freed from slavery, as long as they were not

less than 14 years old and were healthy and vaccinated. The aforementioned decree was enacted in 1878, therefore, still during the slavery period. Also, the speech by Joaquim Nabuco, given at the Polytheama Theater in Rio de Janeiro, on June 22, 1884, therefore four years after the abolition of slavery in Brazil, served as a reference for the analysis of social inequalities regarding the enslaved. Based on these sources, we sought to establish a relationship with the present data, based on secondary sources. Government agencies and research institutes were consulted in the data analysis.

This article uses the category “black” as a marker for enslaved people in Brazil. This category identifies people from the point of view of their phenotype, since, at the time of slavery, such people were considered based on their skin color, facial features or hair type. Their descendants, mentioned in the research, are identified as black or brown.

In this article, four areas will be considered fundamental in the analysis of the relationship between low education levels and the present day: a) education, b) labor market, c) housing system, d) prison system. In all these areas, both descriptive and diagnostic analysis will be carried out.

In order for the analysis to proceed in a legitimate manner, the central objective of the research was constantly referred to, which is to understand the relationship between the low education levels of enslaved people and the current consequences for these people, now freed but still imprisoned by profound social inequality.

Data Discussion

The next step in the research is to analyze the data. Since slavery is a social fact, the coercion that this fact exerts on people must be considered. Emile Durkheim, when discussing the rules of the sociological method, proposes that social facts, in addition to their generality and externality, are also characterized by coerciveness (DURKHEIM, 2012). Social facts exert coercion on individuals, directly or indirectly. Slavery, as a social phenomenon, still maintains its pressure on people who were once enslaved. Their descendants are continually affected by the effects of that period in Brazil's history. One of the problems arising from the period of slavery is the low, or no, level of education of the people who lived under its power. Both those enslaved people and their descendants today were and are affected by slavery. The low level of education resulting from the period of slavery can be analyzed from four aspects: in the educational field, in the labor market, in the housing system, and in the prison system.

The challenge to beat poor education

Article 26 of the Universal Declaration of Human Rights (UDHR) contains three premises related to education. The first of these premises states that “everyone has the right to education” (MINISTRY OF HUMAN RIGHTS AND CITIZENSHIP, 2018, p. 1). Another premise states that “education should aim at the full development of the human personality and at the reinforcement of human rights and fundamental freedoms” (MINISTRY OF HUMAN RIGHTS AND CITIZENSHIP, 2018, p. 1).

The struggles faced by a people marked by slavery are immense in regards to educational qualification. The data from IBGE⁴ (the Brazilian statistics institute), reveal that the black population has fewer educational opportunities, from the first years of school to higher education. That inequality is the result of unequal opportunities and lack of educational policies that promote equity in learning.

⁴ O Instituto Brasileiro de Geografia e Estatística - IBGE is the main provider of geographic and statistical information in Brazil.

Recent data reveals that there have been an increase in the number of brown people admitted to the beginning years of child education, from 2016 to 2018, although it is still a low number if we consider the demands of Brazilian population. Three out of ten babies that were declared brown attended nursery in 2018. This meant an increase of almost four percent in comparison to 2016, representing 32% of the kids registered at this age. Despite that, the number of brown children was still below the number of white ones, which was 39% in 2018 (TODOS PELA EDUCAÇÃO, 2020, p.1).

When it comes to analyzing the educational trajectory of Brazilian teenagers, the inequality is perceived to be even greater. In 2019, only 58.3% of self-declared black students and 59.7% of self-declared brown students completed high school until the age of 19 years old. Meanwhile, white students' percentage of conclusion, of the same age, was much higher, reaching 75% (ALMEIDA, 2023, p.1). This disparity between the performance of black and brown students and the one of white students is due, to a great extent, to the social conditions in which these students who come from a history of slavery have to live under. Priscila Cruz, executive director of the "Todos Pela Educação" (All for Education) organization, says that the lack of public policies in Brazil has intensified that educational inequality.

However, despite great progress in school admission in the past decades, the educational system is still not able to deliver good learning. To turn the tables, we need public policies that make greater efforts towards the more vulnerable ones, in an attempt to compensate this inequality (ALMEISA, 2023, p.01).

The most vulnerable ones are those who, despite having been enslaved in the past, are yet in need for help to get completely rid of their social shackles, in which they are still chained to. The few students of this social class that finish high school are only able to register in higher education courses that take place in the evening since, having come from poor families, they must work during the day to contribute to their family income. These young need to study in the evening, for they have no conditions to get by financially out of the job market.

The offer of higher education private institutions in Brazil has grown a lot since the 1990s, which has obviously also increased the number of university students. According to Schwartzman, the number of university students grew by 76% in the 1990s in comparison to the previous decade (SCHUARTZMAN *apud* NOVAES; MEDEIROS; SILVA, p. 99.). This increase in the number of students was due mainly to the admission of students "who belonged to the wealthier layer of Brazilian population, whereas the percentage of poorer students admitted to higher education has declined in this period" (NOVAES; MEDEIROS; SILVA, 2018, p. 99). Such data exposes the fact that the increase of higher education offer has not been enough to decrease educational inequalities between the rich and the poor, a group whose majority is represented by the brown and black population.

The matter is social; families without financial conditions make use of their children in the job market since their childhood. They have to quit studying in order to support their family financially. When they do not abandon their studies, they end up finishing educational stages in a precarious manner, since they start studying in the evening after a long day of work, which greatly harms their teaching learning process.

In spite of all the problems faced by black students throughout their learning journey, the number of these students has been rising considerably in higher education public institutions. The national survey of the socio-economic and cultural profile of graduates (IFES, 2018), along with the National Association of Public Higher Education Institution Leaders (Andifes), presents significant data that shows the recent

changes in the student profile. According to the survey, there has been in Brazil a considerable increase in public institutions of black students who come from less privileged social classes.

The survey shows that 53.5% of the students may only have the country's minimum wage as their whole family income.⁵ The percentage of students who come from poor families whose income may reach 1.5 the minimum wage rose from 44.3% in 1996 to 66.2% in 2014. In 2018, it leaped to 70.2%, the greatest number in this historical period. (ANDIFES, 2018, p. 44 e 48).

At the beginning of the 1990s, more precisely in 1992, only five out of a hundred young people, at the age between 18 and 24 years old, had been studying at university. Twenty three years later, in 2015, this number leaped to 18 people at that age group. Among black young, this number went from 1.5% to 12.5% in 2015. However, despite this significant increase, it represented only 50% of the number of white students. (ANDIFES, 2018, p.16).

Thus, one of the consequences of poor education is a small percentage of black teachers filling work posts in educational institutions, mainly higher education institutions. According to a survey done by Institute Semesp, in 2020, only 22.6% of teachers self-declared black or brown in higher education private institutions in the country. In the public sector, the figures were a little higher, reaching 24.7% (MOREIRA, 2020, p.1).

The relationship between low levels of education and slavery can still be seen today. This relationship is clearly evident when we discover work analogous to slavery spread throughout the country, especially in rural areas. In a recent study on contemporary slavery, in which workers have been found in situations analogous to slavery, Morais and his team of researchers discovered a low level of education among these workers. The study revealed that 34% had an educational background of at most an incomplete 5th grade of elementary school; 28% were illiterate and 15% had an education between an incomplete 6th and 9th grade (MORAIS et al., 2023).

It is important to consider that the educational problem of exclusion of black people is long-standing. Pessoa (2024), when analyzing the condition of black people in law schools in Brazil in the 19th century, understood that, even at that time, they were prevented from entering higher education in three different ways: exclusion, prejudice, and erasure. According to Pessoa, black slaves suffered, over the years, what he calls “erasure” in the history of law schools in Brazil. “Historical analyses completely leave black people aside and, when they touch on the issue of slavery, they invariably invoke abolitionism and its agents in these institutions – the vast majority of which were white” (PESSO, 2024, p. 10). Therefore, few freed black people were able to overcome the obstacles and enter law courses in Brazil, already in the 19th century.

Given the educational inequalities throughout Brazilian history, involving slaves and their descendants, it is up to the State to seek to correct them with public policies, which has been sought to be done in recent decades. The main State policies aimed at addressing inequalities in education can be observed under three distinct laws: 1) Law of Guidelines and Bases of National Education (LDB - Law 9.394/96), which defines and regulates the organization of Brazilian education based on the principles present in the Federal Constitution; 2) The National Education Plan (PNE - Law 13.005/14), which establishes guidelines, goals and strategies for educational policy in the period from 2014 to 2024; 3) National Common Curricular Base (BNCC - Law 13.415/17), which defines the progressive set of essential learning throughout basic education.

⁵ Minimum wage in Brazil was R\$ 1,412.00 in 2023, which is about US\$ 254.00.

It is impossible to talk about public policies to address social inequalities without mentioning quota systems. Thus, through Law No. 12,711, also known as the Quota Law, the aim was to correct the effects of racism and social inequality in Brazil. However, such a “decision cannot be about adopting purely social or purely racial quotas. If the objective is to tackle unequal opportunities in access to university, it is necessary to have social and racial quotas simultaneously” (OSORIO, 2008, p. 12).

The challenge of being competitive in the job market

The Declaration of the Rights of Man and of the Citizen, dated 1789, defines that “work is inalienable and has an effective social value, and that man is not a mere commodity subject to exchange and unlimited subjection” (LOGUERCIO; BEIRO; SURIAN, 2018, pg. 1). The Universal Declaration of Human Rights, in turn, promulgated in 1948, also provided for work in its Article 23.

Article 23: Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. Everyone has the right, without any discrimination, to equal pay for equal work. Everyone who works has the right to just and favourable remuneration allowing himself and his family an existence worthy of human dignity, and supplemented, if possible, by all other means of social protection. Everyone has the right to form and join trade unions to defend their interests (UNIVERSAL DECLARATION OF HUMAN RIGHTS, 2024).

Black people in Brazil are mostly still allocated to inferior jobs and positions, not necessarily because of existing racism in many areas, but mainly due to the poor level of educational qualification. Not having equal access to education, black students do not manage to properly qualify themselves for the job market, which prevents them from the necessary competitiveness to get by in the market.

The effects of slavery in Brazil still last among black men and women. Because of poor education, these men and women have no choice but have low-paying jobs, which results in black people, who come from enslaved ones, constituting around 60% of informal workers in Brazil. Black people in Brazil fill “only 6.3% of managerial positions and less than 5% of executive positions” (LACERDA, 2022, p.1). The educational disadvantages that affect the black population in Brazil push this group of people toward low-qualification jobs, with fragile employment bonds and low pay.

This low qualification, a result from poor education, leads to the consequence of black people having low-paying jobs or even going through other underemployment situations. A research done by the Unions Department of Statistics and Socio-economic Studies (Departamento Intersindical de Estatística e Estudos Socioeconômicos - Dieese) has recently revealed that the inequality between black and white people persists, due to the unfavorable socio-economic conditions that enslaved people's descendants have to be under in Brazil.

It is worth considering that social segregation in Brazil is secular, because even after the abolition of slavery, the living conditions of the formerly enslaved continued under parameters of unconditional servitude.

Even after the abolition of slavery and the permission for black men and women to attend formal school, the mechanisms to keep them in subordination were only changed. According to Gonçalves and Silva (2000), the schooling of black women born at the beginning of the 20th century was already processed in a dehumanizing way, because instead of going to classrooms, they were sent to (...) orphanages, where they were prepared to work as maids or seamstresses. Wealthy families adopted them, when they were teenagers, as adopted daughters, which in fact meant unpaid domestic servants. (GONÇALVES apud LIMA; CUSTÓDIO, 2020, p. 1321).

This inequality, in relation to the competitiveness of the job market, can be seen in the unemployment percentage of black and white people. According to a survey done by Deese, in the second quarter of 2022, 13.9% of black women were unemployed, as opposed to 8.9% of white women in the same period. For black men, the unemployment figures are 8.7%, while they are a lot less for white workers, reaching only 6.1% (BOCCHINI, 2022, p.1).

Obviously, the pandemic has influenced the increase of unemployment. Data demonstrates that throughout 2020, the year when WHO - World Health Organization characterized COVID-19 as a pandemic, the unemployment figures in Brazil increased considerably, even among white people, from 9.2% to 11.6%, and more steeply among black people, from 11.4% to 16.6% (PRATES *et al.*, 2021).

This unemployment rate among black people, resulting from low levels of education, is also exacerbated by merely discriminatory exclusion, to the point that women descendants of slaves have to face challenges in entering the job market “due to exclusionary subjectivities such as sexism and racism, in which managers base themselves on aesthetic stereotypes, instead of evaluating skills and attitudes” (FERREIRA; NUNES, 2024, p. 52).

Being competitive in the job market is a great challenge for black workers. Having come from less privileged social classes, most of them end up studying in public schools, which are free and marginalized, whose performance is a lot poorer than private schools, more costly and in which more privileged families register their kids in search of better qualification and employability in the job market.

Nowadays, when the job market demands high competitiveness, the worker must have good education, as well as self-motivation to persist and fight for a good job. Black workers need to make a huge effort, more than white people, to obtain good jobs. Overall, their socio-economic condition does not allow them to study in expensive private schools which are notorious for leading students to admissions in higher education courses.

Education and the job market are two factors that go together, side by side. The better a worker's education is, the better the odds for them to become employed in the job market, as well as the more chances this worker will have to reach work posts that will pay them better. Unfortunately, education, according to Henriques, has been considered one of the main factors that explain income inequality in Brazil (HENRIQUES, 2001, p.26).

The Brazilian context has been marked by high figures of unemployment, which has been causing the growing demand for great levels of education in work posts. This growing demand for education ends up contributing to the expulsion of the less educated from the job market. In times of Informational Technology (IT) growth in the job market, which requires that people have a better educational qualification to do work tasks more and more each day, black people are at a disadvantage.

The circumstance of poverty in which families led by black men or women are in interferes in the school life of their members, who are many times forced to leave

their studies prematurely in search of a job to support their own families. This behavior throws them into a spiral of ruin, since, without education, they cannot fill good posts in the job market, and without good posts in this market, they cannot keep their family members in good schools. All of them end up leaving school early to look for a job and help support their family. This spiral causes poor education, which in turn causes unemployment, low-paying jobs or other underemployment circumstances in the lives of black people who are enslaved to this social condition of vulnerability.

The poor education and housing deficit

The right to housing has been declared fundamental to human dignity since 1948, with the Universal Declaration of Human Rights, in its Art. XXV, and was covered by the Federal Constitution of Brazil, of 1988, based on Constitutional Amendment No. 26/00, in its article 6, caput, which states:

Article 6: The following are social rights: education, health, food, work, housing, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute, in the form of this Constitution (BRAZIL, 1988).

Housing is another factor to be considered when one wants to analyze the living conditions of a people who was enslaved in Brazil. According to João Pinheiro Foundation (FJP), there is currently a housing deficit of 6 million houses in Brazil, which results in around 30 million people not having a place to live (FERREIRA, 2022).

Living in their own place is a distant reality from almost a third of Brazilians. The figures are shocking when it is learned that in all Brazilian territory, three out of 10 Brazilians still do not have their own home. Among these three who do not have a home, two are black. It is possible to see this disparity in a different way. According to recent data from IBGE, there is still 45.2 million people living in 14.2 million domiciles with some kind of inadequacy in Brazil. Among these 45.2 million people, 13.5 million are white whereas 31.3 million are black or brown (PNAD Contínua/IBGE, 2019).

This high number of black people without their own place is due, to a great extent, to the fact that after the abolition of slavery, they did not receive any kind of support from the State to get back on their feet socially. After the approval of the Áurea Law (Golden Law in English), signed by princess Isabel on May 13, 1888, nothing was made at that time to minimize the effects of slavery. Without education or a home, many ended up in the streets of big cities or living precariously in shelters made with pieces of wood boards and tins on the hillsides near big cities.

There are several differences between the black American and Brazilian populations, including the difference in segregation. Akbar, Li, Shertzer and Walsh analyzed how racial segregation in the real estate markets in the United States eroded the wealth of the black American population. The analysis strongly suggests that the segregated real estate market cost black families a high price, when entire neighborhoods were inhabited by them (AKBAR et al., 2020). In Brazil, unlike the USA, we do not have racial segregation, but rather social segregation. History has shown that black Brazilians have been separated, before – during the time of slavery, because of their skin color, now, because of their social status, leading them to remain in less favored social strata in urban areas. Thus, acquiring a home becomes a great challenge for those who were once physically enslaved and, today, still bear the consequences of social slavery.

Welfare policies to integrate and help the enslaved population have not yet been implemented in the country. This population remained marginalized and stuck in this

culture of servitude in the years that followed the abolition of slavery. Abolitionist Joaquim Nabuco, observing the struggles that followed the abolition of slavery, stated that "The influence of slavery cannot be uprooted in one day" (NABUCO, 2020). Yes, many years are necessary so that the country begins treating those that came from enslaved families with dignity again in Brazil.

Treating them with dignity means allowing them to have unlimited access to education so that they may consequently have the conditions to compete in the job market, which will enable them to become land owners one day. Again, quoting Joaquim Nabuco in a lecture delivered in 1884, the abolitionist already predicted: "The wounds that are inflicted on us are wounds that will last for a long time in the body of this country, like scars of its honor and its duty" (NABUCO, 1884, p. 49).

Black people are those who suffer the most in search of a home, because they cannot get good jobs and, without good jobs, they do not have salaries that allow them to pay for good homes. Good jobs are directly related to a high level of education. In a country such as Brazil, with more than 210 million inhabitants, it is startling to know that there are few higher education institutions that are public and free of charge, which aggravates the problem, since it very much limits the number of those who have the privilege to access good education.

According to the census of Higher Education in 2020, out of the 112 public universities in Brazil, only 68 were federal universities (INSTITUTO QUESTÃO DE CIÊNCIA, 2023, p.1). It is vital for Brazil to increase the number of public universities so that people from vulnerable social strata may also have the opportunity to compete for a spot in higher education. Only then will these people have a chance to qualify better and thus enter the job market in work posts whose remuneration will allow them to purchase their own home, where they will be able to shelter their families.

The spiral of lack of opportunities is cruel. The deficit of homes in Brazil is due, to a great extent, to the lack of financial resources to acquire a home, a direct consequence of poor professional qualification, which in turn is the consequence of poor education, mainly among those who were enslaved in the past for centuries in the country. The precarious education of those who are the descendants of slaves in Brazil is evident in the fact that they represent two thirds of those who do not have their own home in Brazil.

Poor education and the prison system

When we look into the Brazilian prison system, it is common to conclude that black people constitute the greater population because of racism. However, although there is racism in Brazil, in relation to the black population, a deeper analysis will reveal that the cause of this social conflict is explained again from a perspective on education.

The majority of prisoners in Brazil did not even conclude high school. Hence, poor education ends up pushing black people toward the margins of society, depriving them of the necessary means to live in a dignified way. Marginalization becomes then one of the characteristics of black population in Brazil and understanding this marginality has become imperative, since "Brazilian prisons have become true deposits for marginalized people" (CUSTÓDIO; ALMEIDA, 2022, p. 1415). This marginalization, however, must be understood as the lack of integration of a certain individual in their social environment. Marginal is the position of somebody who is on the margins of a social environment. In Brazil, the black population was thrown into this condition of marginalization, pushing them toward peripheral territories that are highly dangerous. The leniency of the State ended up keeping black population under an enslaved condition, even after the abolition of slavery, with no means to free themselves from their

precarious social condition, which led them to this state of vulnerability in society. Such condition caused poor education, since cities, in general, do not care as much about those who live in the lowest social strata.

It is on the peripheries of cities where we find the worst schools, when there are any. On peripheries, public security is precarious, mainly on the weekends, which makes murder figures increase on Saturdays and Sundays. Hospitals are non-existent there and public transportation is of poor quality. Without good schools, nor security and also having few options for a home in the suburbs, plus unemployment, black people end up being at the mercy of a transgressive underworld.

No wonder the majority of the incarcerated population in Brazil is composed of black and brown people, that is, those who are the descendants of enslaved Brazilians. According to the Brazilian Forum of Public Security's yearbook (FBSP), started in 2005, the black population incarcerated in the Brazilian prison system has reached its highest level. Data published in July of 2023 have revealed that there were 442,033 black people in prison in 2022, which means 68.2% of the total of incarcerated people. In 2005, 58.4% of the total number of prison population were composed of black people. And in 2022 this percentage grew to 68.2% (DOURADO; FREGONASSE, 2023, p.1).

When discussing the Brazilian prison system, Santo (2023) concludes that mass incarceration is a characteristic of the Brazilian prison system, and that this system has migrated from "seigneurial power" to "police vigilantism", maintaining and even increasing incarceration, which is marked by a majority black population.

From the point of view of political economy, internal punitive practices were fundamental to reproducing the social order in a colonial and enslaved society, and remained relevant in the subsequent post-colonial and post-abolition, but rural, society. As society became more urban, the previous "seigneurial power" gave way to police vigilantism. From an institutional perspective, it is crucial to consider that "police vigilantism" had an impact on incarceration patterns (SANTO, 2023, p. 614).

Data from the 14th Brazilian Yearbook of Public Security reveal that the prison population in the country have a similar profile to those who are victims of murder. Overall, this incarcerated population is composed of young black men with poor education.

Betina Barros, FBSP's researcher, observes that racism may be a phenomenon that contributes to the fact that the profile of most prison population is composed of black young. According to her, "racial profiling is something that leads the police force to focus on the approach of certain people. The place where a person lives may also make the police pay more attention to that region than to others" (BARROS *apud* DOURADO, FREGONASSE, 2023, p. 1).

After assessing the profile of the incarcerated population in Brazil, it is noted that 43% of it is between the age of 18 to 29 years old. In 2021, this number was 46.3%; the little decrease, however, does not change the overall scenario. The profile of the incarcerated population is the same as the population that mostly dies in Brazil: young and black. This means that the incarcerated population has a similar profile to the majority of victims of intentional violent deaths, according to the Brazilian Yearbook of Public Security (ANUÁRIO BRASILEIRO DE SEGURANÇA PÚBLICA, 2023).

The poor education of black people, enslaved in disgraceful social conditions, causes a sinister, vicious and existential spiral. Not having competitive educational conditions to enter the job market and reach good work posts, their only resource is to

get a low-paying job. Without enough remuneration to support the family with the minimum needed for their survival, they end up moving to highly dangerous places. Living in those regions, they put themselves in vulnerable conditions and become stuck in criminality. Once they are stuck in such condition, it is extremely difficult for them to break free. For that reason, according to the report *Reincidência Criminal no Brasil* (Criminal Recidivism in Brazil), "the recidivism of former prisoners in the prison system is around 21% in the first year, and it grows to 38.9% in five years" (DOURADO, FREGONASSE, 2023, p.2).

Final Considerations

The social condition under which black people are in Brazil is the consequence of a State that did not care about a great portion of its own people throughout the years. When black people were "freed" from slavery, on May 13, 1888, the Brazilian government of that time did not even give them a piece of land to help them settle down, a people who had been stolen from their culture, hindered from their human rights and who did not even know how to read nor write.

Without subsistence conditions, a great part of this people agreed to remain living in the lands of their former lords in exchange for food and housing of terrible quality. The doors of slave houses (*senzalas*) were now open, but the enslaved people remained captive, not in the dungeons, but in the humiliating and imprisoning social conditions which would follow them until the present.

The State must then fight these imposed social inequalities created by slavery in Brazil throughout the centuries. To do so, it is necessary to prioritize the protection and defense of children's and adolescents' rights. There is still a lot of child labor exploitation, violence and sexual traffic in Brazil. It is necessary to eradicate hunger, fight poverty and then ensure good prospects for children and teenagers.

The State must endeavor to better the economy, because that will favor the offer of jobs, income and food safety. A strong economy is an essential tool to fight hunger, poverty, unemployment and, consequently, social inequality as well. The State must also implement a wide range of public policies to promote social equality, as well as fight racism.

However, the fight against poverty, unemployment, child sexual exploitation and social misery may only be achieved as soon as there is investment in the educational qualification of a people. For this purpose, the Brazilian state has elaborated three recent laws in the past years that aim at improving the educational level of Brazilians in order to ensure better social conditions for them.

The main state policies dedicated to tackling inequalities in education may be seen in three distinct laws: 1) the Law of Guidelines and Bases of National Education (LDB - Law 9.394/96), which determines and regulates the organization of Brazilian education based on the principles found in the Federal Constitution; 2) the National Plan of Education (PNE - Law 13.005/14), which establishes guidelines, goals and strategies for the educational policy in the period between 2014 and 2024; 3) The Common Curricular National Base (BNCC - Law 13.415/17), which sets the progressive range of essential learnings that are expected during basic education.

It is imperative that the State makes an effort to lift its people to social levels of dignity, since black, white and indigenous people are all Brazilians. To do that, the State must establish public policies in all possible areas, to eradicate social inequalities and to help the country grow, not only economically, but also and mainly in the educational field, for all other areas that support the country depend on it. The dignity of a

people depends on the educational field. More than that: the human rights of a people depend on the educational area.

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