


## ON THE CONSOLIDATION OF LAW 10.639/2003: A CONQUEST OF THE BLACK MOVEMENT BASED ON ITS HISTORY OF STRUGGLES

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### ABSTRACT

This article deals with the consolidation of Law 10.639/2003, demonstrating it as an achievement of the Black Movement based on its history of struggles. The purpose set out here is to represent the political effort made by minorities in Brazil, so that a part of the phylogenetic history of its people is consolidated in the form of educational public policy. Proposing quilombola education is an act of persistence against the tyranny of curricula designed for a complex and mixed-race population, such as Brazil, based on what a minority group understands as being necessary to learn. The idea of defending and proposing the inclusion of racial issues in educational environments, by the Black Movement, gained strength and expression from the 1970s onwards, when many black intellectuals had access to public universities. As a result, there are a series of educational studies on blacks in Education and, with the strong presence of blacks in Brazilian public universities, social movements and the struggle for racial equality were simultaneously initiated. What needs to be clarified, in order to understand the authors' text and thought, is that the cultural bond is something that is maintained through direct contact with the elements of culture and, once removed from the community, what remains is a symbolic attachment, no longer a literal sense with the thing itself. New habits are being formed, derived from the old ones and, in this process, a new cultural ideology is being produced, as or more powerful than the one from which it originated. In this sense, it is dangerous to speak of loss of cultural identity, because everything that man creates remains alive, and the original forms, such as dialects, linguistics, gestures, slang are much more expressive than the phenotypic condition, with the subtle difference that this one, to be perceived, just look at the individual, while the others, it is necessary to have a deep knowledge about the culture of others, in which one seeks to create an image of pejoration.

**Keywords:** Black Movement; Curriculum; Public policy; Quilombola Education.

## INTRODUCTION

From the 1980s, several social movements began to debate and reflect on the implementation of schooling aimed at serving the quilombola population. These reflections are the result of a process of sociopolitical opening and redemocratization in Brazil, which made possible new forms of political action by black men and women, organized by the Black Movement.

The Black Movement<sup>23</sup> gained strength and began to act, in an active and positive way, in the social sphere, claiming for its rights and demanding historical reparations in the face of existing problems in Brazil that made reference to the Afro-descendant population, in a simulacrum of apartheid, in *full* territory Brazilian (DOMINGUES, 2008).

In education, there is a combination of social dynamics established by the social segments of the Black Movement so that these dynamics had as their main objective the awakening of a black identity and consciousness and, through this action, they sought to denounce the disservice of schooling with a colonialist nature in the expression, repercussion and reproduction of racism present in the conservative perspective full of values, still with colonial characteristics (MIRANDA, 2012).

In this demand scenario, education stands out at the forefront, establishing itself as an engine of social development as opposed to colonial education. In addition, the criticism of those schools that were still configured as producers and replicators of social inequality was reinforced.

Thus, in the consideration of Nilma Lino Gomes,

The Black Movement claims that the racial issue should be understood as a form of oppression and exploitation that structures Brazilian social and economic relations, intensified by capitalism and social inequality. This posture brings tensions within the protesting groups of the 80s and 90s. The Brazilian left is asked to take a stand against capitalist exploitation and also against racism. (GOMES, 2001, p. 3).

The idea of defending and proposing the inclusion of racial issues in educational environments, by the Black Movement, gained strength and expression from the 1970s onwards, when many black intellectuals had access to public universities. As a result, there are a series of educational studies on blacks in Education and, with the strong presence of blacks

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<sup>23</sup>Black movement is the struggle of blacks in the perspective of solving their problems in society as a whole, in particular those arising from prejudice and racial discrimination, which marginalize them in the labor market, in the educational, political, social and cultural system. (DOMINGUES, 2008, p. 101).

in Brazilian public universities, social movements and the struggle for racial equality were simultaneously initiated. Brazil drafted the 1988 Constitution, which involved the participation of various groups in society, including members of committees and segments of the Black Movement.

In this regard, Nilma Lino Gomes (2001, p. 4) points out that,

The Black Movement activists recognize that education is not the solution to all evils, however, it occupies an important place in the processes of production of knowledge about themselves and about “the Others”, it contributes to the formation of intellectual and political cadres and is constantly used by the labor market as a criterion for selecting some and excluding others. In addition, education in Brazil is a constitutional right according to article 205 of the Federal Constitution (1988). However, all official surveys carried out in recent years point to how the educational field has produced and reproduced within itself a framework of racial inequalities. [Italics are in the original]

In this way, the new Constitutional Charter ensures and guarantees the rights of the remnants of the quilombola community to their lands. At the same time as the social movement, Brazil drafted the 1988 Constitution with the participation of various social groups. Thus, the new constitutional charter guaranteed land rights to the remnants of the quilombola community and to those who occupied their lands, the right to property was finally recognized and the State was able to issue their respective titles (BRASIL, 1988)

Likewise, articles 215 and 216 of the Constitution ensure the rights, recognition and protection of the quilombola community in Brazil, including among these provisions the protection of the historical memories of the quilombola people. According to Stuart Hall, “culture is fundamental, as the position of culture in relation to questions of knowledge and conceptualization, in how 'culture' is used to transform our understanding, explanation and theoretical models of the world” (HALL, 1997, p. 16).

It is observed that these two constitutional articles of recognition admire and value cultural diversity. Although very subtle, these basic terminology articles are extremely necessary for the new steps that will follow, to highlight: the consolidation of public policies are inclined towards the consolidation of racial issues in the Brazilian territory, among them cultural identity.

What needs to be clarified, in order to understand the authors' text and thought, is that the cultural bond is something that is maintained through direct contact with the elements of culture and, once removed from the community, what remains is a symbolic attachment, no longer a literal sense with the thing itself. New habits are being formed, derived from the

old ones and, in this process, a new cultural ideology is being produced, as or more powerful than the one from which it originated.

In this sense, it is dangerous to speak of loss of cultural identity, because everything that man creates remains alive, and the original forms, such as dialects, linguistics, gestures, slang are much more expressive than the phenotypic condition, with the subtle difference that this one, to be perceived, just look at the individual, while the others, it is necessary to have a deep knowledge about the culture of others, on which one seeks to create an image of pejoration.

For Stuart Hall (1997, p. 39), culture “regulates our conduct, social and practical actions and, thus, the way we act within institutions and in the wider society”, which requires empirical knowledge about the being and the making of human culture, in such a way that its limit and its practical application can be determined. As a way of guaranteeing the free expression of all the cultures that make up the Brazilian nation, gaining a *sui generis characteristic* to the Brazilian people, the Federal Constitution of 1988 sought to provide indissoluble and non-alienable guarantees to those who wish to manifest from the cultural history of the original peoples that form the Brazilian human fabric.

Thus, this statement is materialized in the aforementioned document, as stated *in verbis*:

Art. 215. The State will guarantee everyone the full exercise of cultural rights and access to the sources of national culture, and will support and encourage the appreciation and dissemination of cultural manifestations.

§ 1 – The State shall protect the manifestations of popular, indigenous and Afro-Brazilian cultures, and those of other groups participating in the national civilizing process.

Art. 216. The material and immaterial assets constitute Brazilian cultural heritage, taken individually or together, that bear reference to the identity, action, memory of the different groups that form Brazilian society, which include[...]

§ 5 – All documents and sites that hold historical reminiscences of the former quilombos are listed (BRASIL, 2017, p. 62).

According to Stuart Hall (1997, p. 20), “[...] we should not be surprised, then, that struggles for power cease to have a simply physical and compulsive form to be increasingly symbolic and discursive, and that power itself progressively assumes the form of a cultural policy”.

Thus, the guarantee of access to basic education is a fundamental right that, however, the Federal Constitution of 1988 never mentions as an educational policy specifically aimed at the quilombola population, due to the fact that the legal extension of constitutional power is generic, written in a broad sense, it is up to those interested in building their legacies and presenting plausible justifications, enabling the insertion of laws and norms that support

political aspirations and become public policies aimed at serving all these collectivities.

### **ON THE CONSOLIDATION OF LAW 10.639/2003**

The Brazilian Federal Constitution of 1988 provides that the democratic regime in Brazil acts as fertile ground to strengthen the social participation of minority groups in the fight, among them, for the fight for racial equality. From there, the Brazilian educational guidance document was developed with the participation of the black movement. In this way, both in the elaboration of the Citizen Constitution<sup>24</sup> and in the need to formulate the Law of Guidelines and Bases of National Education (Law nº 9.394/96), there is an effective participation of black militancy in the events of greater importance for the nation (DOMINGUES, 2008).

According to Gomes (2011), when discussing the participation of the black movement in the electoral district of 1988, based on Rodrigues' (2005) research, he observes that, in fact, neither the 1988 Constitution nor the LDB included a requirement by the movement to support the education. Debates around ethnicity, between the black movement and legislators, reveal a process of emptying the political content of claims that end up being partially inserted and distorted in the texts.

Articles 215 and 216 of the 1988 Constitution are recognized and guaranteed by law and the protection of Brazil's diversity and the quilombola territory were the main achievements of the Magna Carta. Thus, José Maurício Andion Arruti (2009) highlighted that in the 1988 Constitution, a rich distinct cultural spirit prevailed, reflected in Article 216 when dealing with the list of documents related to the history of quilombos. Thus, other rights needed to be established, including, for example, educational institutions able to guarantee an education based on cultural diversity, highlighting black culture (ARRUTI, 2009).

José Maurício Andion Arruti says:

They oblige us to recognize that the issue of education, alongside the land, is also a priority. Even if we restrict ourselves to the debate regarding the expansion of the regular school (without any concern for a differentiated education), the structural discrimination incident to this portion of the population would not be perceived and documented in the resort to the category of quilombos – which precisely outlines an exclusion previously only diffuse (ARRUTI, 2017, p. 137).

At the end of the 1990s, the term *cultural diversity* began to spread everywhere, across

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<sup>24</sup>Epithet given to the Federal Constitution of 1988, due to the process in which it was prepared, with the participation of all Brazilian society at the time (NA, 2023).

different fields of knowledge, and in the 2000s, debates began on *cultural diversity* and the place of ethnicity in public policy, especially in education. This is a consequence of the *3rd World Conference Against Racism, Racial Discrimination, Xenophobia and Relevant Forms of Intolerance*. The event was organized by the United Nations (UN), in the city of Durban, South Africa, in September 2001 (ARRUTI, 2009).

This meeting facilitated a series of action-based discussions against racism and intolerance. These debates involve the black movement, reinforce the discourse of racial equality, highlight that affirmative actions are necessary in Brazil, especially in educational policy. As a result of these campaigns and discussions, in 2003, Federal Law No. 10,639/03 was approved. This law requires the teaching of Afro-Brazilian history and culture in public and private schools. In addition, the law seeks to reinforce in these spaces, the appreciation of Afro-Brazilian identity which, in this sense, Stuart Hall (2000, p. 8) exposes:

[...] our identities' could probably be better conceptualized as the sedimentations through time of those different identifications or positions that we adopt and try to 'live', as if they came from within, but which, without a doubt, are caused by a special set of circumstances, feelings, stories and experiences uniquely and peculiarly ours, as individual subjects. Our identities are, in short, culturally formed.

LDBEN (2003) also stands out, especially the addition of two new articles: 26-A and 79-B. One of them aims to establish the teaching of Afro-Brazilian culture and history, African history and African people, black culture in Brazilian society and its influence on national society. This work also identifies these contents to be addressed in school curricula, especially in the field of artistic education, Literature and Brazilian History. Section 79-B provides for the *National Day of Black Consciousness*, dated on November 20th in all schools in Brazil, as *in verbis*:

Art. 1. Law No. 9,394, of December 20, 1996, is now in force, with the addition of the following articles. 26-A, 79-A and 79-B: "Art. 26-A. In primary and secondary education establishments, official and private, the teaching of Afro-Brazilian History and Culture becomes mandatory. § 1o The syllabus to which the caput of this article refers will include the study of the History of Africa and Africans, the struggle of black people in Brazil, Brazilian black culture and black people in the formation of national society, rescuing the contribution of black people in the social, economic areas and politics pertinent to the History of Brazil.

In this way, the approval of Law 10.639/03 crowned the achievements of many struggles for racial equality. This law, although with few articles, was a correction of negligence in claiming black militancy in the creation and passage of the LDB. According to Nilma Lino

Gomes, “Law 10.639/03 represents a cultural and political change in the curriculum, given that 'decolonizing curricula is yet another challenge for school education'” (2012, p. 112).

Still, as highlighted by Nilma Lino Gomes, there is “[...] the need for dialogue between school, curriculum and social reality, the need to train teachers who are reflective and about the cultures denied and silenced in the curricula”. (Id.; Ibid.). However, there was still a need for regulation that would guarantee a specific type of education for quilombola communities, because although it represents a great achievement in the defense of Afro-Brazilian culture, law n° 10.639/03 never refers to the remaining quilombolas. . Notably, since 2003, marked by the beginning of the government of Luiz Inácio Lula da Silva, the participation and demands of the Minority Group were adopted and discussed in the federal agenda (GOMES, 2012).

Therefore, some actions were taken to meet the demands of these groups, these actions include the creation of the Special Secretariat for the Promotion of Racial Equality (SEPPIR) in 2003 and the Permanent Education, Literacy and Diversity Secretariat (SECAD) in 2004 and the implementation of Law n° 10.639/2003 in Brazilian territory. After studies and debates, there was a need to regulate the law in question, which is the task of the National Education Council (CNE) (GOMES, 2012).

Thus, in 2004, Opinion n° 03 was published, which regulated Federal Law n° 10.639/2003 and established the guidelines for the national curriculum for teaching ethnic-racial relations and for teaching Afro-Brazilian history and culture. In fact, from now on, Brazilian education is legalized to value identity, memory and culture, as claimed by the black movement and other social movements involved in the anti-racist struggle (GOMES, 2012).

Thus, such statement is materialized in the words of Nilma Lino Gomes, categorizing that,

The inducing role of this Law as a public policy points to the expansion of the State's responsibility in the face of the complexity and multiple dimensions and tensions surrounding the racial issue. In this process, the set of rights denied to the black population and historically claimed by the Black Movement requires the State's duty to recognize and legitimize the racial issue in public policies in the areas of health, work, environment, land, youth, gender. Given this interrelationship, the implementation of Law 10.639/03 – understood as the Law of Guidelines and Bases for National Education – has instigated the Ministry of Education, the education secretariats and schools to implement policies and practices that guarantee the totality of rights of the black population (2011, p. 9) .

The National Board of Education has been involved in the development of these guidelines by various sectors of society; individual activists, state and local boards of education, racial teachers and researchers. According to *José Maurício Andion Arruti* , the approval of

Law n° 10.639/03 and, subsequently, the institution of curricular guidelines for the education of ethnic-racial relations were responses to the demands of the social struggles of the black movement for the defense of sociocultural diversity ( ARRUTI , 2011 ).

According to explains *José Maurício Andion Arruti* (2011), the advent of the approval of these norms represented a cultural and pedagogical commitment by the Brazilian State to break with the myth of racial democracy that particularly affects blacks. Unlike Law No. 10,639/03, the Curriculum Guidelines for Education in Ethnic-Racial Relations introduced the word quilombo for the first time in a normative text of Brazilian education (Idem, 2011).

This observation was made by José Teixeira de Oliveira, when he argued that,

It is important to note that the text of Law 10.639/2003 makes no reference to 'quilombos' or 'quilombo remnant communities'. In the text of the National Curriculum Guidelines for the Education of Ethnic-Racial Relations and for the Teaching of Afro-Brazilian and African History and Culture (2004), the term 'quilombo' is cited five times. (OLIVEIRA, 2006, p. 68).

After the publication of the Curriculum Guidelines for the Education of Ethnic-racial Relations (DCERER), the Federal Government, through Decree n° 5.051, of April 19, 2004, promulgated the ILO Convention n° 169 – the ILO Convention on Indigenous Peoples and Tribal. The Pact is decisive for quilombola school education in Brazil, as it guarantees the right to an education adapted to the differences of the racial population.

In this regard, ILO Convention No. 169 – the ILO Convention on Indigenous and Tribal Peoples says:

Article 26:

Measures shall be taken to ensure that members of the peoples concerned are able to acquire education at all levels, at least on equal terms with the rest of the national community.

Article 27:

1. Educational programs and services for the peoples concerned shall be developed and applied in cooperation with them in order to respond to their particular needs, and shall cover their history, their knowledge and techniques, their value systems and all their other social, economic and cultural aspirations.

2. The competent authority shall ensure the training of members of these peoples and their participation in the formulation and implementation of education programs, with a view to progressively transferring to these peoples the responsibility for carrying out these programs, when appropriate.

3. In addition, governments shall recognize the right of these peoples to establish their own institutions and means of education, provided that such institutions meet the minimum standards established by the competent authority in consultation with these peoples. Appropriate resources should be provided for them for this purpose (BRASIL, 2004, sp).



In 2007, through Decree No. 6040, of February 7, 2007, the National Plan for the Development of the Traditional Population was formulated. Among the various objectives of the program is the guarantee of the free basic education necessary for traditional populations. With the approval of Decree nº 6.040/2007, the legal and normative framework required for carrying out quilombola schooling was expanded (GOMES, 2012).

Thus, in 2010, the National Council of Education approved Resolution No. 4, of July 13, 2010, which established general curriculum guidelines for basic education and developed and conceptualized quilombola school education. In the same year, Resolution No. 7, of December 14, 2010, was adopted. This rule in Article 38, § 2, proposes the elaboration of the National Curriculum Guidelines for Quilombola Education:

Art. 41. Quilombola School Education is developed in educational units inscribed in their lands and culture, requiring their own pedagogy in respect of the ethnic-cultural specificity of each community and specific training of its teaching staff, observing the constitutional principles, the common national base and the principles that guide Brazilian Basic Education. Single paragraph. In the structuring and functioning of quilombola schools, as well as in the others, cultural diversity must be recognized and valued (BRASIL, 2010).

It should be noted that this decision was the first to address Quilombola School Education as a way of teaching and suggest teaching methods that are in line with the educational reality of these peoples: schooling in rural areas, indigenous peoples and quilombolas requires respect for their experience singular. Finally, with the enactment of Resolution no. 7 of 2012 National Council of Education, these guidelines have as a regimental highlight the responsibility of educational programs to promote public education policies aligned with the purposes and interests of quilombola communities, conserving and respecting their culture and memories (GOMES, 2017) .

Curriculum proposals aimed at diversity in the school curriculum reached great awareness in discussions on the subject, in political-governmental spaces in the early years of the current century. As an example, Law No. 10,639 of 2003 and its related National Curriculum Guidelines (DCN's) highlighted numerous proposals that, by legal force of this law, made it mandatory to include content on the teaching of Afro history and culture in the DCN's -Brazilian and African in basic public education (GOMES, 2017).

The General Curriculum Guidelines for Quilombola Education are composed of titles, chapters and articles. There are 64 articles distributed in nine titles and five chapters. The title defines the objectives and principles of quilombola school education, organization, steps and paths, transportation, political education project, cooperative methods and general provisions

to guarantee this education.

The National Council of Education, through the Basic Education Chamber (CEB), began in 2011 a broad debate with the aim of drawing up the National Curriculum Guidelines for Quilombola School Education. The aforementioned guidelines aim to “guide education systems so that they can put Quilombola School Education into practice, maintaining a dialogue with the sociocultural and political reality of communities and the Quilombola movement” (BRASIL, 2011, p. 05).

Therefore, confirming the openness to discussions and appreciation of diversity in the curriculum, the National Curriculum Guidelines for Quilombola School Education were created, a new type of education in Brazil. The aforementioned initiatives, in line with a set of achievements and conditions, helped to broaden political, social and academic proposals and debates regarding education in quilombola communities and the deepening of their knowledge, cultures and traditions and their inclusion in the curriculum (BRASIL, 2012).

According to CNE/CP n° 03/2004, teaching in all its completeness will need to make available “Record of the untold history of Brazilian blacks, such as the remnants of quilombos, urban and rural black communities and territories” (BRASIL, 2003, p. 9).

Prior to the aforementioned date, at the 2001 National Education Conference (CONAE) held in Brasília, diversity in the field of educational policy was debated, and as a result of the debate, the creation of Quilombola Education as a modality and its annex in the opinion CNE/CEB 07/2010 and Resolution CNE/CEB 04/2010, which create the General Curriculum Guidelines for Education.

In 2010, the first National Symposium on Quilombola Education was held, prepared and organized by SECAD and supported by SEPPIR. In this context, the quilombola commission was formed to advise a special commission of the Elementary Education Chamber of the National Education Council. In this sense, argues Nilma Lino Gomes that, “the said commissions were conceived by members from various parts of the country appointed by the National Coordination of the Rural Black Quilombola Community” (2012, p. 3).

Through these actions, observes José Mauricio Arruti, space is opened for the recognition of the specificity and transcendent rights of the quilombolas, also in the field of education, so as not to deal with groups that are not simply marginalized. This led him to consider, with the creation of space, the relationship between a series of public actions aimed at the specificity of the quilombola community that he called recognized policies and those policies formulated as simple expansion, as a differentiated transfer of resources or as a reserve of special quota in a general policy, whose objective is to correct a situation of exclusion, known

as a redistribution policy (ARRUTI , 2017).

In the meantime, it is perceived that the connections built between education and culture(ies) are surrounded by a range of possibilities, which led to a gradual appreciation in the political-socio-educational scenario. The political and epistemological linkages of this relationship can be observed in Brazil, especially in the sphere of educational policies in which diversities and/or differences are prioritized (GOMES, 2005).

Based on these proposals, namely; valuing diversity and differences, school education in the quilombola community needs to reflect on issues related to the knowledge produced by it and by the community in which the institution is inserted And in this sense, the exto-reference for the elaboration of the National Curriculum Guidelines for school education quilombola exposes that:

[...] Quilombola school education cannot do without the discussion about the historical and political reality that involves the quilombola issue in the country. In this way, the education systems, schools, teachers, the initial and continued training processes of Basic and Higher Education teachers, when implementing the National Curriculum Guidelines for Quilombola School Education, should include in their curricula, in addition to aspects legal and normative that govern the Brazilian school organization, the concept of quilombo; the articulation between quilombos, land and territory; advances and limits of quilombola rights in Brazilian legislation; the memory; orality; work and culture (BRASIL, 2011, p. 29).

From this educational scenario, we will continue with more in-depth reflections, in which we intend to contribute with studies, theoretical productions and practices that foster the expansion of knowledge and combat curricular inconsistencies and the lack of visibility of issues related to Quilombola practices/knowledge , in particular the importance of incorporating them into regular teaching and learning processes and general school curricula for Basic Education, and in view of CNE/CEB Indication No. 2/2010, the Basic Education Chamber of the National Council of Education instituted through Ordinance CNE/CEB No. 5/2010, the commission responsible for preparing the National Curriculum Guidelines for Quilombola School Education (DCNEEQ) (GOMES, 2012).

The elaboration, in 2013, of the National Curriculum Guidelines for Quilombola School Education follows the guidelines of the General National Curriculum Guidelines for Basic Education. Regarding the document cited below, it should be noted that the legislation for this type of education, in the process of building its identity in the country, is advanced. The contemporary challenge has been the distance between the legal precept and the reality of the curriculum in action in the classroom . According to the final document of the conference, the

Union, the States, the Federal District and the Municipalities must:

- a) Ensure the elaboration of specific legislation for quilombola education, with the participation of the black quilombola movement, ensuring the right to preserve their cultural manifestations and the sustainability of their traditional territory.
- b) Ensure that quilombola food and school infrastructure respect the group's food culture, observing care for the environment and local geography.
- c) Promoting specific and differentiated training (initial and continuous) to professionals from quilombola schools, promoting the elaboration of didactic and pedagogical materials contextualized with the ethnic-racial identity of the group.
- d) Guarantee the participation of quilombola representatives in the composition of councils related to education, in the three federal entities.
- e) Institute a specific degree program for quilombolas, to ensure the appreciation and cultural preservation of these ethnic communities.
- f) Ensure that quilombola teachers receive in-service training and, where appropriate, at the same time as their own schooling.
- g) Establish the National Quilombola Education Plan, aiming at the full appreciation of the cultures of the quilombola communities, the affirmation and maintenance of their ethnic diversity.
- h) Ensure that the teaching activity in quilombola schools is carried out preferably by teachers from quilombola communities (CONAF, 2010, p. 427).

Convention 169 of the International Labor Organization (ILO) on Indigenous and Tribal Peoples, enacted by Decree No. 5051, of April 19, 2004, and Decree No. 6040, of February 7, 2007, which establishes the National Development Policy sustainable development of traditional peoples and communities, the quilombolas are considered traditional [singular] communities and peoples, because they are culturally unique groups that recognize themselves as such, owners of their own forms of social organization, using knowledge, innovations and practices generated and transmitted by tradition , are occupants and users of territories and natural resources as a condition for their cultural, social, ancestral religious and economic reproduction.

Even with this legal determination, it is noticeable that few professionals feel prepared to address specific themes in their classes that can contribute to the process of reversing the marginalization of quilombola peoples. Because, when reflecting in the classroom on issues related to the construction of identity, emphasizes Nilma Lino Gomes (2017, p. 42) that, “it cannot do without the discussion about identity as a broader, more complex process. This process has personal and social dimensions that cannot be separated, as they are interconnected and are built in social life”.

These teachers, for the most part, “did not even obtain during their initial training elements that would subsidize such action, a fact that is quite contradictory to what the law determines and that is combined as a guaranteed right, considering that these peoples have

unique importance in the context of history of Brazil” (CONAF, 2010, p. 427).

In this perspective, thinking about methodological proposals that culminate in a rethinking of the current school curriculum becomes a great and permanent challenge. This challenge, once overcome, would support the materialization of a Basic Education and a less exclusionary knowledge, capable of promoting teaching and learning processes based on respect for others and their knowledge, and on dialogicity, elements considered essential for an education truly formative of human integrality (GOMES, 2012).

In this sense, entering the subjective universe of the other accepting and recognizing their differences is to allow a necessary dialogue for the construction of a curriculum that is based on austerity and based on it, for Educardo Oliveira, identity is built in relation to otherness. With what is not me. It is before the difference of the other that my difference appears” (OLIVEIRA, 2006, p. 84).

Quilombola communities have their particular history and the need to consider the concept of quilombo and its meanings for the elaboration of the National Curriculum Guidelines for Quilombola School Education. For Benjamin Perét, the quilombamento process existed where there was enslavement of Africans and their descendants. It is, therefore, an experience of the African diaspora, still little known in the context of Brazilian society, in general, and in school education, in particular. The quilombos, however, were not lost in the past, because a whole material heritage construction remained, which helps in the interpretation and deduction of its history and its members (PERÉT, 2002).

According to Gomes (2017), they remain alive today through the active presence of the various quilombola communities existing in different regions of the country. The right to a school education that respects and recognizes their history, memory, technologies, territories and knowledge has been one of the historical demands of these communities and organizations of the quilombola movement.

Based on the aforementioned author, the conception that quilombos were made up of enslaved Africans, this perspective was modified over time and through actions and claims of the quilombolas themselves and research carried out by scholars on the subject. Insisting on this reductionist conception means denying or trying to make the historical, cultural and political meaning of the quilombo invisible.

Regrettably, this colonial vision still persists in textbooks and in the social imagination, as a result of population whitening strategies and attempts to erase Afro-Brazilian and African memory (IACOREQ, 2010). The Federal Constitution, enacted on October 5, 1988, advanced by approving Art. 68, which deals with the Temporary Constitutional Provisions Act: “To the

remnants of the quilombo communities that are occupying their lands, definitive ownership is recognized, and the State must issue them the respective titles” (BRASIL, 1988, p. 50).

This legal recognition gave rise to broad debates and discussions about who were the remnants of quilombos and how their lands should be titled. Such resistance, on the part of the State, demonstrates its lack of interest in resolving an issue that has dragged on for a long time, always being judicialized in a way that harms those who most need the capital for use, which in the case of the plaintiffs is the land for their survival (SANTOME, 1995).

Demanding that the remnants of quilombolas demonstrate, through official documents, that they are legitimate heirs of the pieces where they live is an understatement, since these spaces were, for all intents and purposes, hidden places, spaces of survival in the shadow of existence, by fear of persecution and attacks by the imperial forces. In many quilombos, the news of the end of the slave regime arrived many years later, if not decades after it was made official by the Princess Regent, in 1888 (FIABANI, 2008).

Resolution No. 8, of November 20, 2012, defines guidelines for quilombola teaching. These guidelines belong to the revolutionary context that occurred after 2003, when President Luís Inácio Lula da Silva approved Law 10.639/03, which broke with traditional models. Responding to a call from the black movement and several intellectuals dedicated to the cause, these laws are eroding the pillars of traditional education that have served the elite.

Law 10.639/03 established educational changes to incorporate African history, black and Afro-Brazilian culture into the curriculum. The concealment of these contents in the curriculum has done a great disservice to the entire population, as everyone has the right to know the history and culture of the peoples that make up the Brazilian nation. The curriculum guidelines for quilombola school education make advances in opening doors for the community to build the curriculum (GOMES, 2007).

The guidelines of the quilombola school touch the nerve center of the curriculum by inserting the culture, memory and traditions of the Brazilian black community. According to Macaé Evaristo, “we must think about the issue of learning, development and teaching and guarantee the school curriculum all memory, tradition, history of struggle and resistance for the land of these communities” (EVARISTO, 2022, p. 12).

The educational reforms enshrined in Law 9.394/96 are an advance in relation to the previous period, when the directives for education were in the interest of the military junta. The new LDBN innovate, but are still permeated by regulatory norms and tend to standardize. Notably, movement is controlled, especially in federal government programs that require the implementation of prerequisites, thus impacting on school and community autonomy.

Political teaching projects are conceived as a series of activities that will produce a product, built without collective participation, aiming to achieve certain objectives and results, and it is nothing more than a norm that conforms to the normative principles proposed by the State. It will never be liberating and autonomous. This treadmill of regulatory or technical innovation is aimed at the bureaucratization of the educational institution, transforming it into a mere compliance with technical norms and convergent and dominating regulatory mechanisms (BRASIL, 2012).

With regard to Quilombola School Education, “the guarantee of the protagonism of Quilombola students in political-pedagogical processes at all stages and modalities must succeed. Also cited is the 'implementation of a political-pedagogical project that considers the historical, cultural, social, political, economic and identity specificities of quilombola communities' (BRASIL, 2012, p. 27).

Political and educational projects must be built collectively by the community to ensure effective student participation. Diagnosing the reality of a community and its surroundings will not be the work of a few, but the construction of all, even those without children in school. We realized that the community's autonomy should be addressed and prioritized because it is a social group and not always the protagonist of its decisions. The diagnosis must take into account that the revolutionary character of this political education project is respect for the individual, “traditional knowledge, orality, ancestry, aesthetics, ways of working, technologies and history of each community” (BRASIL, 2012, p. 28).

The quilombola community differs from other social groups in several aspects, mainly historical. These communities survived through resistance, creativity, collective work and solidarity. They resisted the onslaught of speculators, land grabbers, wise men, jagunços and starving peasants. In this sense, Georgina Helena Nunes argues that, “[...] being a quilombola is always having the weapons of perseverance, wisdom and collective solidarity” (NUNES, 2006, p. 15).

Territoriality and sustainability are also part of the diagnosis that guides the School's Pedagogical Political Project (PPP). This territory has special meaning for the quilombola community as its own space and place of belonging. It means the trajectory of history, the trajectory of collective action, a place where individuals who seek their roots gather, a space of memories and struggles, a reason to be a quilombola. Therefore, it is necessary to title the community's lands to guarantee the territorial principle. Without land ownership, communities are exposed and live in uncertainty. Sustainability has the premise of not harming the social, economic and material development of the environment, it represents the antithesis of the

capitalist logic of profit at all costs. Most communities identified principles of sustainability, where natural resources are still preserved (BHABHA, 2013).

## FINAL CONSIDERATIONS

The question posed in this article, which sought to address the Black Movement as political and social agents responsible for the inclusion of quilombola education in formal curricula, attending, with such an attitude, to a historical and phylogenetic rescue of Afro-descendants is something worthy of note and which marks the beginning of a development towards the knowledge of a very strong and original culture.

The problem that is found, throughout the systematic studies, is exactly the absence of others, in this same sense, in which one has the opportunity to weave a wider and deeper contact with the phylogenetic and ontogenetic aspects that mark the peoples, in their condition Natural. Once extracted, *a forceps*, from its roots, any attempt, in the same proportion, to return it to something with which it did not have intimate contact, sounds like something strange and without causal connection with the exposed yearning.

In this sense, the more studies that make it possible to clarify the inflection points of the original culture with the current one, it serves as a parameter for public policy proposals, such as the insertion of a quilombola education to be effective; however, it must answer questions such as: *why* and *what for*, demonstrating its pragmatic potential set for society.

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