

Article

Pardo is the New Black: Reframing Racial Identity in Brazil and Beyond—A Systems Perspective

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Abstract

Brazil's racial landscape, marked by extensive *mixed-ness*, challenges rigid black/white binaries that often erase multiracial identities. Affirmative action policies, while intended to address inequality, frequently force Pardos—mixed-race individuals—into a racial limbo, neglecting their multifaceted heritage. Drawing on Niklas Luhmann's social systems theory, this study critiques how institutional frameworks and racial fundamentalism—emanating from both White supremacist and Black identity movements—pressure multiracial individuals to conform to monolithic racial categories. Positioned at the intersection of opposing ideologies, Pardos face erasure, revealing how guiding distinctions oversimplify identity and perpetuate exclusion. The cases of Pardos in Brazil parallel the experiences of Afro-Germans, who navigate similar pressures to align with narrowed racial identities, revealing how rigid racial classifications marginalize individuals, exacerbating their invisibility across diverse societal contexts. By positioning Pardos at the heart of a decolonizing project, this research critiques phenotype-based classifications, advocating for inclusive policies that honor self-identification, intersectionality, and lived experiences. Can multiracialism be a global subversive countercultural force? This study highlights the limitations of existing racial frameworks, celebrating the potential of *mixed-ness* to dismantle hierarchies and inspire more inclusive policies. By reframing racial discourse, we can pave the way for new global paradigms that honor diversity, transcending analogue legacies.

Keywords: guiding distinctions; social systems theory; decolonial approaches; multiracial identity; *pardos***JEL:** J15, F54, D23, Z13

1. Introduction

Brazil's racial landscape is a vibrant mosaic, shaped by centuries of intermingling among Indigenous peoples, Europeans, Africans, Asians, and Middle Easterners. This rich diversity is evident in the nation's demographic composition: according to the 2022 National Household Sample Survey by the Brazilian Institute of Geography and Statistics (IBGE), approximately 43% of Brazilians identify themselves as *pardo* (mixed race), 47% as *branco* (White), 9.1% as *preto* (Black), and the remaining percentages as *amarelo* (Asian) or *indígena* (Indigenous) (IBGE, 2023). The *pardo* category is particularly significant, embodying Brazil's history of *mestiçagem* (racial mixing) and representing a complex intersection of multiple heritages (Nogueira, 1998). Nearly half of the population identified as *pardo* underscores the importance of multiracial identities in shaping the nation's racial dynamics.

Brazilian racial categorization permits individuals to self-identify as White, Black, Pardo (mixed race), Indigenous, or Asian. However, affirmative action policies often group Pardos and Blacks into the broader category *negros*, which is also translated as Blacks—reflecting efforts by social movements to unify individuals with shared histories of discrimination (Cicalo, 2012; da Silva and de Oliveira

Arruda, 2023). While this collective identity aims to address systemic injustices, it oversimplifies racial identities and overlooks the unique experiences of Pardos, who do not always identify themselves as Black or share the same cultural heritage (da Silva and de Oliveira Arruda, 2023). This binary framework enforces a reductive classification that fails to capture the nuanced realities of Brazil's racial continuum. Additionally, the use of the broader category “Black”, often contrasted with “White”, enforces a binary racial framework that fails to capture the nuanced realities of multiracial identities (da Silva and de Oliveira Arruda, 2023).

The metaphor “Pardo is the New Black” highlights the pivotal role Pardos play in challenging and redefining Brazil's racial classifications. The growing emphasis on multiracialism reflects a shift towards recognizing and accepting the diversity of racial backgrounds in Brazil. This shift does not negate the distinct identities that persist despite centuries of mixing, but rather celebrates their complexity. By embracing multiracialism, Brazilians can move beyond traditional racial binaries, fostering a more inclusive understanding of race.

This inclusive perspective strengthens unity among marginalized groups by respecting their unique identities



and promoting intersectional approaches to social justice. Scholars have long noted Brazil's racial fluidity, where phenotypic characteristics and socioeconomic status often determine racial classification (Fry, 2000; Telles, 2014a,b). Unlike binary racial systems, Brazil's racial continuum reflects its history of *mestiçagem* while revealing persistent inequalities beneath this diversity (Freyre, 1986; Silva and Hasenbalg, 1992; Monk, 2016).

A critical gap persists in understanding how the black/white binary, as a dominant framework, contributes to the invisibilisation of Pardos within Brazil's social systems. Although prior research has documented the socio-political impacts of racial classifications (Monk, 2016; Telles, 2014a,b), limited attention has been given to the systemic mechanisms through which these distinctions are constructed and perpetuated. Abel (2018)'s study provides valuable insights into how genetic ancestry intersects with racial identity, demonstrating that multiracial individuals navigate complex identity landscapes that defy simplistic binary classifications. Niklas Luhmann's social systems theory offers a valuable framework to address this gap by elucidating how distinctions like inclusion/exclusion and system/environment are reproduced to simplify societal complexity (Luhmann, 1995; Roth, 2023). When applied to racial classifications, this perspective exposes how binary distinctions marginalize multiracial identities, rendering them underrepresented in both policy and organizational practices. By simplifying Brazil's diverse racial reality into a dichotomy, these systems overlook the lived experiences and unique challenges faced by Pardos, perpetuating their exclusion and reinforcing systemic inequalities.

By examining case studies of affirmative action policies involving multiracial individuals, this research highlights the lived experiences of Pardos and exposes the limitations of existing frameworks in accurately capturing their realities. To address these gaps, this study poses the following research question:

How does the Guiding Distinction of the Black/White Binary in Brazil's Social Systems Potentially Influence the Marginalization of Pardos, and what are the Potential Implications in Organizational Contexts?

By applying Niklas Luhmann's social systems theory, along with Critical Race Theory (CRT), intersectionality, and social identity theory, this research analyses the construction and perpetuation of racial distinctions in Brazil. It explores the oversimplification of racial diversity through the black/white binary, examines how these distinctions are maintained within social systems, and assesses their impact on organizational practices related to diversity and inclusion. Additionally, it situates Brazil's experience within a global context, drawing parallels with Afro-Germans, who face similar pressures to conform to singular racial identities (Hubbard and Utsey, 2015; Kim, 2018).

Through an interdisciplinary framework, this research highlights how multiracial identities navigate these binaries and proposes pathways for more inclusive policies that honour Brazil's multiracial heritage.

2. Literature Review

2.1 Race as a Social Construct

Historically, race has been used to categorize individuals into distinct groups, such as Black, White, and others, based on visible physical characteristics and perceived "bloodlines", often reinforcing discriminatory practices and hierarchical structures (Marks, 1994). Modern scholarship reframes race as a fluid construct shaped by socio-political, economic, and cultural pressures (Guinier, 1995; Hubbard and Utsey, 2015). This dynamic understanding emphasizes race as both an identity marker and a mechanism for perpetuating systemic inequalities, particularly in education, economic opportunities, and political representation (Fry, 2000; Omi and Winant, 1994; Santos et al, 2009; Skidmore, 1993).

Racial frameworks generally follow three models: binaries, ternary divisions, and continuums (Rockquemore and Laszloffy, 2005; Bailey et al, 2013; Telles and Paschel, 2014). Binary frameworks, such as the U.S. system, divide race into rigid categories like Black and White, exemplified by the "one-drop rule" (Degler, 1971; Telles and Sue, 2009; Twine, 1998). Ternary frameworks introduce intermediate categories, as seen in Apartheid South Africa's Black, Coloured, and White system, which stratified society hierarchically (Seekings, 2008). Continuum frameworks, like Brazil's, position race along a spectrum based on skin tone, features, and socioeconomic factors, reflecting a legacy of *mestiçagem* (racial mixing) (Nogueira, 1998). The category of Pardo exemplifies this fluidity, capturing diverse phenotypes that transcend Black and White distinctions and include African, Indigenous, and Asian descent.

Brazil officially recognizes five racial categories: Branco (White), Preto (Black), Pardo (Mixed-Race), Indígena (Indigenous), and Amarelo (Asian). However, public policies often consolidate Pretos and Pardos under the term *negros*—which is also translated as Blacks—to foster solidarity among those of African descent (Cicalo, 2012; da Silva and de Oliveira Arruda, 2023). While this aggregation supports anti-racism efforts and affirmative action, it risks oversimplifying the racial continuum and marginalizing Pardos' distinct identities (Telles and Paschel, 2014). Pardos often occupy a "racial limbo", where their multiracial heritage is overlooked, and eligibility for race-based policies becomes ambiguous (Cicalo, 2012; Hunter, 2007; Maddox, 2004).

Colourism further complicates this dynamic, as proximity to whiteness often determines privilege. Pardos, due to lighter skin tones, may face less overt prejudice than Pretos, creating divergent experiences of privilege and discrimination (Hunter, 2007; Maddox, 2004). This reinforces sys-

temic inequalities, obscures the nuances of Brazil's racial diversity, and perpetuates exclusion under the guise of solidarity.

Globally, multiracial individuals face similar pressures. Afro-Germans are often encouraged to align solely with their Black heritage, erasing their multiracial identity (Hubbard and Utsey, 2015). Korean-Germans navigate pressures to choose between German or Korean identities, often feeling alienated from both (Kim, 2018). Such dynamics underscore the limitations of rigid racial classifications in capturing multiracial experiences.

Acknowledging race as a continuum in Brazil offers a more accurate understanding of its racial diversity. However, this demands addressing Pardos' unique challenges, ensuring that their identities are recognized, and policies promote equitable and inclusive outcomes for all racial groups.

2.2 Racial Frameworks

Critical Race Theory (CRT) offers a powerful lens to analyse race as a socially constructed phenomenon shaped by historical, political, and economic forces, rejecting race-essentialism—the belief in inherent, immutable racial traits (Delgado and Stefancic, 2017). This perspective is particularly relevant to Brazil, where the significant Pardo population reflects the country's history of racial mixing. Unlike binary racial systems, Brazil's continuum-based framework supports CRT's view that race is not a fixed biological reality but a dynamic social construct encompassing African, Indigenous, and Asian heritage (Telles, 2014a,b).

Despite being the largest racial group in Brazil, Pardos occupy a dual position within the country's racial structure. On one hand, colourism seems to provide potential advantages, such as a better access to education and employment due to perceived proximity to whiteness. On the other hand, they face marginalization, particularly when grouped with Pretos under the collective term *negros* in policy contexts (Telles, 2014a,b). This duality underscores the systemic nature of racial hierarchies and aligns with CRT's focus on how institutional practices perpetuate inequalities.

CRT also introduces the concept of “oppression positionality”, framing Blackness not as a biological identity but as an ascribed position of systemic oppression. This shifts attention from individual traits to the socio-political structures sustaining racial inequalities. Affirmative action policies, while addressing historical injustices, often rely on rigid classifications that may unintentionally marginalize multiracial individuals like Pardos (Collins and Bilge, 2016; Crenshaw, 1989).

To deepen this perspective, Critical Mixed-Race Studies (CMRS) complements CRT by emphasizing the fluidity and intersectionality of racial identities. CMRS critiques rigid classifications and highlights the lived experiences of multiracial populations, including Pardos, who navigate complex racial landscapes (Daniel et al, 2014; Turner,

2014). By focusing on hybridity and agency, CMRS aligns with CRT in addressing systemic exclusion and integrates with Luhmann's social systems theory, revealing how distinctions like the Black/White binary perpetuate marginalisation.

Recognizing Pardos as a distinct and essential category is crucial for creating equitable policies that reflect Brazil's multiracial reality. Together, CRT and CMRS provide robust frameworks to understand systemic inequalities and develop strategies to address the unique challenges faced by Pardos.

3. Colourism and the Genomic Perspective

Advances in genomic science have added new dimensions to discussions of race and identity, challenging traditional racial classifications. In Brazil, genomic studies, such as those by Parra et al (2003) and Pena et al (2020), reveal a deeply mixed ancestry among its population, reflecting centuries of intermarriage among Indigenous, African, and European groups. For example, Pena et al (2020) found that self-identified Whites in Brazil have, on average, 30% African and 16% Indigenous ancestry, while those identifying as Black have 47% African ancestry alongside with significant European and Indigenous components. Similarly, Parra et al (2003) demonstrated that individuals classified as Pardo show a genetic composition of 40% European, 33% African, and 17% Indigenous ancestry. These findings underscore the genetic complexity behind Brazil's racial categories.

Despite these insights, the social reality of race remains shaped by constructs like colourism—discrimination based on skin tone—which privileges individuals with lighter skin and Eurocentric features while marginalizing those with darker skin (Hunter, 2007; Telles and Paschel, 2014). Colourism's roots lie in historical hierarchies established during the Atlantic slave trade, which prioritized proximity to whiteness. This bias continues to affect social dynamics, as lighter-skinned Black individuals often enjoy better access to education, jobs, and mobility compared to their darker-skinned counterparts (Hochschild and Weaver, 2007; Keith and Herring, 1991). These disparities highlight the intersection of skin tone bias with social constructs of race, perpetuating inequality even within racial groups.

While genomic studies debunk race as a biological reality—demonstrating that humans share over 99.9% identical DNA (Duello et al, 2021; Tishkoff and Kidd, 2004)—racial identities persist as powerful social constructs. The reliance on fixed categories oversimplifies both genetic and social realities, erasing the nuanced experiences of multiracial individuals (Santos et al, 2009). Addressing it requires frameworks that embrace hybridity and fluidity, acknowledging the privileges and oppressions that exist along the spectrum of skin tone.

Demographic shifts and increasing racial mixing further ask for inclusive approaches to race. Scholars like Sa-

harso and Scharrer (2022) emphasize the importance of re-framing race, not by ignoring it, but by operationalising it in ways that reflect diversity. In Brazil, dismantling the black/white binary and confronting colourism are essential steps toward equity, ensuring that all individuals, regardless of skin tone, are afforded dignity and opportunity.

4. Guiding Distinctions in Social Theory

The concept of “guiding distinctions” is pivotal in understanding the development and application of social theory across various academic fields. Guiding distinctions are binary oppositions—such as economy/society, public/private, or nature/culture—that help frame theoretical discussions and shape the foundation of empirical research. These distinctions serve as the building blocks of social science theories and provide the conceptual lenses through which scholars interpret and engage with social phenomena (Jenks, 1998; Sztompka, 1979).

Niklas Luhmann’s social systems theory introduces the idea that social systems operate through self-referential processes, where distinctions like system/environment and inclusion/exclusion are continuously reproduced (Luhmann, 1995). These guiding distinctions not only organize knowledge but also influence how social inequalities are constructed and perceived. Social systems use binary codes to reduce societal complexity, but this often results in oversimplified distinctions that fail to account for the nuances of lived experiences (Sales et al, 2023). For instance, in Brazil, the black/white binary is particularly salient in discussions of race and identity, yet this distinction often fails to capture the complex realities of individuals of multiracial heritage who do not fit neatly into either category. The oversimplification of racial identity through such binaries potentially leads to marginalisation, as the unique experiences of multiracial groups are excluded from broader discussions of race, inequality, and social justice.

Guiding distinctions are crucial in constructing social reality. However, not all guiding distinctions are equally valid or useful. Some distinctions are mutually exclusive and jointly exhaustive, providing a clear and comprehensive division of a particular domain. Others, such as the black/white binary, are neither mutually exclusive nor jointly exhaustive, as they fail to account for the full spectrum of racial identities in Brazil.

Drawing on Spencer Brown (1979)’s idea that “distinction is perfect continence,” valid distinctions must be both mutually exclusive and jointly exhaustive. Roth (2023) classifies distinctions into three categories:

- **True Distinctions:** Mutually exclusive and jointly exhaustive (e.g., system/environment, life/death).
- **Type 1 False Distinctions:** Mutually exclusive but not jointly exhaustive (e.g., economy/religion).
- **Type 2 False Distinctions:** Jointly exhaustive but not mutually exclusive (e.g., black/white, theory/practice).

In the context of Brazilian racial identity, the black/white binary exemplifies a Type 2 false distinction. While it appears to encompass all racial categories, it fails to capture the experiences of Pardos, who fall outside the rigid boundaries of Black or White identities. This exclusion perpetuates systemic inequities by invisibilising individuals who do not conform to these binary categories (Cicalo, 2012; Nogueira, 1998). Moreover, genomic evidence by Pena et al (2020) demonstrates that racial identities in Brazil are deeply interconnected, further challenging the validity of rigid binaries in reflecting the country’s multiracial reality. By relying on such false distinctions, social systems reinforce exclusion and fail to address the diversity of lived experiences (da Silva and de Oliveira Arruda, 2023).

Binary distinctions, as articulated in Luhmann’s systems theory, are foundational mechanisms for reducing complexity in social systems (Luhmann, 1995). By creating clear boundaries such as black/white or system/environment, distinctions enable systems to process information and maintain operational coherence. While complexity reduction is vital, problems arise when distinctions are “false”—neither mutually exclusive nor jointly exhaustive (Roth, 2023; Spencer Brown, 1979). The black/white binary in Brazil exemplifies such a false distinction, oversimplifying the diverse realities of racial identities and excluding multiracial individuals like Pardos, whose lived experiences resist rigid classification (da Silva and de Oliveira Arruda, 2023; Telles and Paschel, 2014). Although this binary initially appears to streamline complexity, its application perpetuates systemic inequities, reinforcing the marginalization of those who do not fit neatly into Black or White categories (Cicalo, 2012).

Recursion in Distinctions

Recursion, or re-entry, compounds these issues by applying distinctions within their own framework to generate further subcategories (Spencer Brown, 1979). For example, the recursive application of the black/non-black distinction might yield categories such as predominantly Black or predominantly non-Black. While recursion introduces greater differentiation, it remains constrained by the limitations of the original binary and reproduces its exclusionary tendencies (Roth, 2023).

This logic reflects historical practices like the “one-drop rule” in the United States, where any African ancestry classifies a person as Black, erasing more nuanced identities (Twine, 1998). In Brazil, similar dynamics occur in affirmative action policies that group Pardos with Black people under the broader *negro* category. Although this simplifies policy implementation, it overlooks the unique experiences of Pardos and exacerbates their invisibility (da Silva and de Oliveira Arruda, 2023; Brasil, 2010).

Even distinctions that are theoretically valid, such as black/non-black, face challenges when applied recursively. Although these distinctions are mutually exclusive

and jointly exhaustive in theory, their recursive application risks stratifying categories and reinforcing hierarchies. This can perpetuate systemic inequalities by entrenching rigid logics rather than dismantling them (Valentinov, 2014). In both false and true distinctions, recursion amplifies the limitations of the original framework, hindering its ability to accommodate the fluidity of racial identities.

To address these challenges, social systems must move beyond rigid binaries and adopt guiding distinctions that reflect hybridity and intersectionality. Recursion can be reimagined as a tool for integration, allowing distinctions to evolve dynamically and inclusively (Luhmann, 1995; Spencer Brown, 1979). By replacing binary frameworks with categories that acknowledge the interconnected nature of racial identities, systems can better capture the lived experiences of Brazil's multiracial population and mitigate exclusionary logics (Pena et al, 2020; Santos et al, 2009).

5. Implications for Racial Policies

While guiding distinctions have played a significant role in theory-building, their use has not been without controversy. Criticisms of eclecticism (Borch, 2012) and the fluidity of these distinctions over time and across regions underscore the need for continuous reassessment of their relevance.

The reliance on false distinctions like the black/white binary has significant implications for racial policies and organizational practices. In Brazil, affirmative action programs and other diversity initiatives often rely on rigid racial classifications that do not reflect the lived experiences of multiracial individuals (da Silva and de Oliveira Arruda, 2023). These initiatives, heavily dependent on phenotype-based policies, risk excluding certain groups of individuals from affirmative action benefits, thereby perpetuating the very social inequalities they aim to redress (Cicalo, 2012; Telles and Paschel, 2014). This exclusion highlights the inadequacy of outdated distinctions in addressing the complexities of racial identity in contemporary contexts.

In Brazil, many individuals classified as Pardos do not self-identify as Black, leading some to opt out of affirmative action policies for which they are eligible. This disconnection reflects the complexity of racial identity, shaped by factors such as phenotype, social context, and cultural perceptions (Cicalo, 2012; Telles, 2014a,b). Lighter-skinned Pardos, in particular, may reject the *negro* classification due to the stigma associated with Blackness and the social advantages of distancing themselves from it (Telles and Paschel, 2014). As a result, affirmative action programs often fail to resonate with the lived experiences of Pardos, limiting their participation and the policies' effectiveness in addressing racial inequities.

Additionally, the lack of differentiation among skin tones and racial subgroups within these frameworks perpetuates systemic inequalities. Darker-skinned individuals, even within the same family or racial category, face more

pronounced discrimination and socioeconomic challenges, including higher rates of poverty, unemployment, and exclusion from leadership positions (Bailey, 2008; Nogueira, 1998; Telles, 2014a,b). By grouping diverse populations under broad categories like Black or *negro*, these policies obscure significant variations in experiences and access to opportunities, reinforcing existing power imbalances (Cicalo, 2012). To address these disparities effectively, policies must move beyond rigid classifications and incorporate granular distinctions that reflect the realities of Brazil's diverse racial and phenotypic groups.

Moreover, the use of false distinctions in diversity policies highlights the contradiction between the increasing digitisation of society and the continued reliance on outdated and analogue theories to understand social phenomena. In the case of racial identity, the black/white binary is an analogue distinction that fails to capture the complexities of a digital society where individuals can express multiple, fluid identities (Valentinov, 2014). As society becomes more digital, there is a growing need for social theories and diversity policies that reflect this complexity and move beyond simplistic analogue distinctions.

6. Consequences of Racial Simplification

The imposition of a binary racial approaches in Brazil erases the country's multiracial identity, undermining its rich cultural and racial diversity. This reductionist framework mirrors the themes of George Orwell's *1984*, where linguistic simplification served to homogenise thought and control individual identities. Similarly, reducing Brazil's racial spectrum to simplistic binaries risks obliterating the nuanced identities of multiracial individuals. Preserving classifications like *pardo*, *moreno*, and *mulato* may be critical to the acknowledgment and discussion of Brazil's complex racial and cultural heritage (Sansone, 2003).

The Statute of Racial Equality (*Estatuto da Igualdade Racial*), Law No. 12.288/2010, exemplifies the tension between promoting racial equality and erasing multiracial identities. This legislation, aimed at combating racial discrimination, groups Pardos and Black individuals under the broader category of *negros* to streamline affirmative action policies. While well-intentioned, this categorisation disregards the unique multiracial heritage and lived experiences of Pardos, effectively forcing them into a singular racial identity (Cicalo, 2012).

This homogenisation creates unintended consequences. Policies under the Statute often fail to address the distinct challenges faced by Pardos, who may not experience the same levels of discrimination or social stigma as darker-skinned individuals. As a result, some Pardos remain excluded from support mechanisms intended for marginalised groups. Conversely, some Pardos benefit from policies designed for Black individuals, despite differing socio-economic and cultural realities, highlighting a misalignment between policy intent and its beneficiaries.

Such oversimplification perpetuates the marginalisation it seeks to eliminate (da Silva and de Oliveira Arruda, 2023).

Empirical evidence underscores these challenges. For instance, the cases of multiracial individuals like Glauco Dalalio do Livramento and André Correia Lopes demonstrate how the rigid application of quotas in public administration fails to account for the complexities of multiracial identities. Policymakers must adopt a more nuanced framework that acknowledges Brazil's racial diversity, ensuring affirmative action policies effectively address the needs of all racial subgroups without erasing their unique identities.

7. Empirical Evidence: Public University Systems and Affirmative Actions in Brazil

The public university system in Brazil offers a revealing lens into the interplay of racial distinctions, affirmative action, and economic disparities. Access to these institutions has historically been shaped by both racial and economic inequalities. Public universities, which provide the highest quality education, are free of charge but highly competitive. Admission has traditionally been dominated by affluent, predominantly White families who could afford private schooling and specialized tutoring to prepare for entrance exams (Schwartzman and da Silva, 2012; Norões and McCowan, 2016).

The introduction of affirmative action policies, including quotas for Black, Pardo, and Indigenous students, was a significant step toward addressing these inequalities. However, these policies have sparked debates and challenges, including their implementation, the interpretation of racial identity, and controversies over eligibility criteria (Cicalo, 2012; Htun, 2004). These debates highlight the complex intersections of race, identity, and opportunity in Brazilian society.

One of the most contentious aspects of Brazil's affirmative action system is the process of heteroidentification. This evaluative method requires university committees to verify whether students who self-identify as Black or Pardo meet the criteria for racial quotas. The process often involves a visual examination of phenotypic characteristics, such as skin colour, hair texture, and facial features, to determine whether an individual is "socially perceived" as Black or Pardo. This practice has generated widespread criticism for its reliance on subjective assessments of racial identity and its potential to perpetuate discrimination.

Despite these challenges, affirmative action in Brazil remains a critical tool for addressing historical and systemic inequalities. However, the controversies surrounding heteroidentification underscore the need for more transparent and equitable approaches to implementing these policies. Recognizing the complexity of racial identities and experiences, particularly those of Pardos, is essential to ensure that these initiatives achieve their intended goals of inclusion and social justice.

8. Case Studies Illustrating the Complexities of Race and Identity

The following cases from public university systems in Brazil exemplify the complexities of race and identity in the context of affirmative action and provide real-world illustrations of the issues discussed in the theoretical framework. Note that the case studies presented in this section are based entirely on publicly available sources, including news articles, as cited. No direct interaction with the individuals mentioned took place, and all information has been referenced accordingly.

8.1 Case 1: Glauco Dalalio do Livramento—University of São Paulo (USP)

Glauco Dalalio do Livramento, a 17-year-old student from São Paulo, was admitted to the prestigious University of São Paulo (USP) through the state's affirmative action policy for Black, Pardo, and Indigenous students. However, his self-declaration as Pardo was rejected by the university's racial identification committee, which argued that his physical characteristics did not match those typically associated with Pardos or Black individuals (Aragão, 2024). This decision led to the cancellation of his admission and the filing of a lawsuit against the university, raising significant questions about the criteria used to assess racial identity in affirmative action processes.

Glauco's case underscores the challenges of using phenotypic characteristics as the primary criterion for racial identification in affirmative action policies. Although he self-identified as Pardo and had family ties to the racial group, the committee based its decision solely on his physical appearance, disregarding the complexities of racial identity in Brazil (Aragão, 2024). This case exemplifies the limitations of rigid racial distinctions, where binary categories fail to account for the fluid and multifaceted nature of identity.

In the legal arguments presented by Glauco's defense, it was pointed out that racial identity is not solely determined by physical appearance but also by social experiences and the ways in which individuals are perceived and treated in society (Aragão, 2024). His defence team argued that his exclusion from the affirmative action policy was unfair because it relied on a superficial understanding of race, ignoring the broader social and historical context that shapes racial identities in Brazil.

8.2 Case 2: André Correia Lopes—University of São Paulo (USP)

Similarly, André Correia Lopes, an 18-year-old admitted to USP under the racial quota system, had his admission lifted after the racial identification committee determined that he did not meet the criteria for Pardo or Black identity (Silva, 2024). André, who had long been identified as Pardo based on his mixed-race heritage, was rejected be-

cause his physical traits were deemed insufficiently “Black” or Pardo. He filed a lawsuit against the university, contesting the decision.

André’s case illustrates the inherent challenges in Brazil’s affirmative action policies, particularly regarding the criteria for racial identification. The reliance on phenotypic characteristics has led to numerous disputes and legal challenges (da Silva and de Oliveira Arruda, 2023). The committee’s decision ignored the complexities of racial identity and social context, highlighting the inadequacy of rigid distinctions in capturing the multifaceted nature of identity in contemporary society.

8.3 Case 3: Institutional Changes and Affirmative Action Reforms

The controversies surrounding the cases of Glauco and André have led to significant debates within Brazilian society about the future of affirmative action policies. In response to the growing number of legal challenges, USP announced plans to reform its racial identification process, shifting from virtual assessments to in-person evaluations (Exame, 2024). This change is intended to provide a more accurate and fair evaluation of candidates’ racial identities by allowing for a more comprehensive assessment of their physical traits and social experiences.

The planned reforms underscore the limitations of Brazil’s current affirmative action policies, particularly the reliance on phenotypic assessments as the primary criterion for racial identification. The shift toward in-person evaluations represent a step forward in addressing these limitations, acknowledging the need for a more nuanced and context-sensitive approach to racial classification (da Silva and de Oliveira Arruda, 2023). However, the reforms also raise questions about the broader implications of using racial categories in affirmative action policies and whether such policies can ever fully account for the complexities of racial identity in a diverse society like Brazil (da Silva and de Oliveira Arruda, 2023).

8.4 Social Prejudices and Family Phenotypes

The challenges of applying racial quotas raise critical questions about the criteria used by committees and their implications for individuals whose identities defy rigid categorization. For many, rejection by these committees signifies a loss of opportunity and invalidation of their self-identified multiracial identity, as external authorities dismiss personal perceptions. Brief virtual evaluations exacerbate concerns over fairness and accuracy (Aragão, 2024).

Brazil’s racial continuum, which encompasses significant diversity within the Pardo classification, reflects its history of racial mixing. However, many committees prioritise visibly Black characteristics, marginalizing Pardos who do not conform to stereotypical perceptions of Blackness. This narrow approach fails to capture the full spectrum of Pardos, many of whom face discrimination de-

spite their lighter features. By privileging certain phenotypes, committees risk perpetuating exclusionary practices and undermining the inclusivity affirmative action policies seek to promote. Addressing this requires a deeper understanding of Brazil’s racial continuum and criteria that reflect the diversity of racial identities and experiences.

Daniele de Araújo’s family illustrates this complexity. Despite wide variations in skin tones among her relatives, they collectively face social disadvantages due to their mixed-race heritage (Nolen, 2015). Members with lighter and darker skin experience similar structural barriers like limited access to education and economic opportunities, yet societal perceptions of them vary based on their physical appearance, despite shared racial backgrounds.

Racial identity, heavily influenced by societal perceptions, is not solely determined by phenotype but also by lived experience and social context (Nolen, 2015). This reinforces the need for comprehensive frameworks addressing the intersectionality of racial identity and structural inequalities faced by multiracial individuals.

9. Discussion

The cases of Glauco Dalalio do Livramento and André Correia Lopes highlight how heteroidentification committees rely disproportionately on phenotypic assessments, neglecting the social and historical dimensions of racial identity (Aragão, 2024; Silva, 2024). This approach reflects Bonilla-Silva (1997)’s concept of “new racism,” where institutionalised practices perpetuate racial hierarchies without overtly racist intent. Abel (2020) underscores how genetic ancestry data challenges and reinforces racial classifications, exposing the limitations of relying solely on appearance (Goldstein, 2013).

Niklas Luhmann’s systems theory illuminates how societal frameworks maintain distinctions like the black/white binary, simplifying complexity but marginalising groups outside these categories (Luhmann, 1995). Critical Race Theory (CRT) expands on this by showing how legal and institutional practices reinforce systemic biases, marginalising Pardos within policies aimed at equity (Crenshaw, 1989; Delgado and Stefancic, 2017; Htun, 2004). Intersectionality further highlights how Pardos face compounded discrimination at the intersection of race, class, and socioeconomic status (Collins and Bilge, 2016).

Social identity theory explains how societal pressures force Pardos into binary categories, fostering identity dissonance and exclusion (Tajfel and Turner, 1979; Twine, 1998). Genomic studies add complexity, revealing widespread genetic admixture in Brazil (Parra et al, 2003; Pena et al, 2011; Santos et al, 2009). These findings question the validity of policies relying on phenotypic traits, further underscoring the inadequacy of rigid classifications (Abel, 2020; Wade et al, 2014).

A multidimensional approach is needed to reform affirmative action policies. Incorporating self-identification,

Table 1. Policy and organizational recommendations for enhancing multiracial inclusivity.

Recommendation	Action	Benefit
Flexible racial classification systems	Allow self-identification and recognize multiracial heritage.	Accommodates diverse and fluid racial identities.
Intersectional affirmative action policies	Incorporate multiple facets of identity, including race, socio-economic status, and cultural background.	Effectively targets and supports marginalized populations.
Comprehensive evaluation criteria	Include personal narratives and social experiences alongside phenotypic assessments.	Captures the complexities of multiracial identities.
Educational and awareness initiatives	Implement programs that promote understanding of multiracial identities and challenge stereotypes.	Fosters an inclusive societal mindset.
Supportive institutional policies	Create policies that support multiracial individuals in expressing their full identities without fear of exclusion or marginalization.	Encourages authentic self-expression and mitigates exclusion.
Adaptive policy frameworks	Regularly review and update policies to reflect societal changes and the evolving understanding of race.	Ensures policies remain relevant and effective.
Participatory policy development	Involve multiracial individuals in the design and implementation of policies affecting them.	Ensures policies are informed by lived experiences and build trust within the community.
Anti-bias training for committees	Train heteroidentification and quota committees to recognize and address unconscious biases.	Reduces reliance on stereotypical phenotypes and ensures equitable treatment.

Source: Authors' own work.

ancestry, and social experiences would better address the diverse realities of Pardos, aligning with [Paschel and Tianna \(2016\)](#)'s call for policies reflecting the fluid and relational nature of race. Structural racism must also be tackled through reforms and societal shifts in attitudes, with educational initiatives playing a critical role ([Bonilla-Silva, 1997](#); [Degler, 1971](#)). Adopting spectrum-based racial identification could better reflect Brazil's diversity, but caution is needed to avoid diluting efforts against systemic racism ([Loveman et al, 2012](#); [Wade, 2017](#)).

Policy and Organizational Recommendations

To translate these findings into actionable strategies, we have developed Table 1, which presents policy and organizational recommendations.

To effectively implement these recommendations, a coordinated effort between policymakers, educational institutions, and organizations is essential. This involves:

1. **Stakeholder Engagement:** Collaborate with community leaders, multiracial advocacy groups, and academic experts to design and refine inclusive policies.
2. **Pilot Programs:** Initiate projects in select regions or institutions to test flexible classification systems and intersectional policies.
3. **Continuous Evaluation:** Establish mechanisms for ongoing assessment and feedback to ensure policies and practices remain responsive to the evolving dynamics of multiracial identities.

10. Conclusion

This study highlights the limitations of Brazil's established black/white binary in marginalising Pardos, using Niklas Luhmann's social systems theory to examine how rigid racial classifications perpetuate systemic inequalities.

Affirmative action policies, while intended to promote equity, often sustain racial hierarchies by excluding individuals who do not fit predefined categories, compelling Pardos to adopt Black identities and fostering identity dissonance ([Daniel et al, 2014](#); [dos Santos, 2024](#)). This aligns with Critical Mixed Race Studies' critique that conventional classifications fail to address the fluidity of multiracial identities, perpetuating inequities they aim to resolve.

Luhmann's theory elucidates how guiding distinctions oversimplify Brazil's racial landscape, reinforcing exclusionary practices. Decolonizing this binary involves recognizing it as a colonial construct and adopting multidimensional classifications that reflect Brazil's multiracial reality. Educational initiatives and organizational practices must evolve to promote inclusivity and challenge stereotypes, ensuring diversity frameworks celebrate multiracial identities.

The comparative analysis of Pardos and mixed-race Germans underscores the global challenges of rigid racial frameworks, which often erase multiracial identities and exacerbate invisibilisation. Similarly, genomic studies reveal the extensive genetic admixture in Brazil, challenging traditional racial classifications and highlighting the inadequacy of policies based solely on phenotypic traits ([Parra et al, 2003](#); [Pena et al, 2020](#); [Santos et al, 2009](#)). Recognizing these complexities allows for the development of inclusive policies that reflect Brazil's diverse heritage ([Abel, 2020](#)).

While ethnic movements foster inclusion and address historical injustices, they may also challenge the foundations of multiracialism, a critique not always rooted in progressive ideals. Historically, Nazi ideology, as articulated by figures such as Alfred Rosenberg and further explored in studies like [Krieger \(1940\)](#), vehemently opposed mul-

tiracialism, portraying both pure White and pure Black as superior to mixed-race individuals, whom they deemed degenerate. Similarly, Fortes (2024) highlights how tropical eugenics in Brazil during the rise of Nazi influence mirrored this rejection of “mixed-ness” under the guise of “improving the race”. Contemporary opposition to multiracial identities may also stem from racial fundamentalism, whether from white supremacist ideologies that reject racial mixing or from sectors of Black social movements that view *mestiçagem* as a denial of Black identity and an extension of whitening ideologies (Costa and Schucman, 2022; Munanga, 2019).

From a historical perspective, the rise of multiracialism agenda represents a countercultural shift opposing both past whitening agendas and recent blackening movements. Multiracialism embraces Brazil’s diversity and intertwined histories, demanding recognition of “mixed-ness” as central to the nation’s identity. This perspective fosters inclusive frameworks to address racial inequalities while honouring Brazil’s multifaceted heritage (Costa and Schucman, 2022).

10.1 Implications for Social Theory

Reframing racial classifications beyond the black/white binary aligns with Luhmann’s assertion that social systems must adapt their guiding distinctions to reflect the evolving complexities of societal identities. By recognizing and valuing multiracial identities, social systems can reduce the oversimplification of racial diversity and promote equity across various institutional contexts. This shift not only addresses the immediate marginalisation of Pardos but also contributes to the broader decolonization of racial discourse, challenging colonial constructs that have historically shaped and limited racial understanding. Embracing multiracialism facilitates a more comprehensive and effective approach to antiracist advocacy, ensuring that all voices are included and that policies address the multifaceted nature of discrimination.

10.2 Limitations of the Current Framework

While Luhmann’s social systems theory provides a valuable lens for analysing how racial distinctions are constructed and perpetuated within societal systems, it has its limitations. The theory emphasises the self-referential nature of social systems, potentially overlooking the agency of individuals and grassroots movements in challenging and transforming guiding distinctions (Habermas, 1987). This focus may limit the ability to fully capture the dynamic and contested nature of racial identities and their socio-political implications.

Future studies should explore the interplay between social systems theory and indigenous frameworks to develop a more comprehensive understanding of racial dynamics in Brazil. Additionally, incorporating qualitative data from multiracial individuals’ personal narratives can offer deeper insights into how they navigate and negotiate their identities within existing institutional structures.

Expanding the theoretical framework to include Critical Mixed Race Studies (CMRS) can also enhance the analysis by emphasizing the fluidity and intersectionality of multiracial identities, thereby addressing some of the current framework’s limitations.

Availability of Data and Materials

This study did not generate or use any datasets.

Author Contributions

Both authors (AS and JC) contributed to the theoretical framework, revised the manuscript, and made editorial changes. AS was solely responsible for the case studies.

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Conflict of Interest

The authors declare no conflict of interest.

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