

The Brazilian National Truth Commission ten years later: an assessment of its purposes, structure, challenges and legacy

*A Comissão Nacional da Verdade Brasileira dez anos
depois: uma avaliação de seus objetivos, estrutura,
desafios e legado*

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RESUMO

Comissões de verdade têm sido estabelecidas em diferentes Estados em transição em todo o mundo com o propósito de promover a reconciliação de suas sociedades com seu passado e a prevenção de futuras violações. Considerando esse contexto, o propósito do presente artigo é discutir as razões que levaram o governo brasileiro em 2011 a apoiar o estabelecimento de uma comissão nacional de verdade quase trinta anos depois do fim do regime militar no país e avaliar seus desafios e legado após dez anos de seu último relatório.

Palavras-chave: Justiça Transicional; Comissão Nacional da Verdade; Brasil.

ABSTRACT

Truth commissions have been established by many states undergoing regime transitions worldwide to promote the reconciliation of their societies with their past and prevent future violations. In this context, the purpose of the present article is to discuss the reasons that led the Brazilian government to support the establishment of a national truth commission almost thirty years after the end of the military regime in the country. We will also evaluate its challenges and legacy ten years after its final report, a testament to the government commitment.

Key words: Transitional justice; National Truth Commission; Brazil.

INTRODUCTION

During the solemnities of the inauguration of the Brazilian National Truth Commission, Her Excellency Dilma Rousseff, the seventh democratically elected president since the end of the authoritarian regime that ruled Brazil from 1964 to 1985, proudly announced the beginning of a process. This process was not an act of revenge, hate or wish to rewrite history, but a noble mission to promote transparency and respect for the memory of those who died fighting for individual liberties and democracy in the country. In her words,

What impels us to establish a Truth Commission is not a desire for retribution, animosity, or a wish to rewrite history in a different light. It is the compelling need to comprehend it in its entirety, without cover-ups, disguises, vetoes, or prohibitions. What we are embarking on now, at this moment, is a celebration of truth's transparency in a country that is progressing towards democracy, albeit with a reckoning with its past. In this sense... and in this crucial sense, this is a pioneer step for the Brazilian State, not just a governmental decision. (...)

(...) We believe that Brazil cannot avoid the knowledge of its complete history. (...) Ignorance about history does not bring peace, but quite the contrary, it keeps latent resentments and sorrow. (...) Brazil deserves to know the truth. The new generations deserve the truth and, above all, factual truth is deserved by those who lost family and friends and keep on grieving as if they were dying again and again every each day. (...) (Rousseff, 2012, n.p.)

For President Rousseff and all those who supported the creation of the Brazilian National Truth Commission, its implementation represented an opportunity to reinforce the role of truth and memory in the country development and to consolidate its commitment to democracy and the international human rights regime. Nevertheless, this discourse emerged almost thirty years after the end of the authoritarian regime. It incited many questions about the context, structure, and purposes of a National Truth Commission in Brazil once the general evaluation in 2012 was that it would not be able to produce meaningful results regarding truth and justice considering the distance between its establishment and the dictatorial past. However, only a decade after its final report in 2014 more attention is turned to its legacy, mainly due to the revival of authoritarian discourse

and practices promoted by former president Jair Messias Bolsonaro and his far right-wing followers¹.

Considering this context, the present article revisits the history of the constitution of the NTCs in Brazil to observe its challenges and argue that its legacy needs to be reevaluated if democracy and human rights are to be genuinely preserved in the country.

In order to achieve our purposes, the present paper is divided into three sections: the first discusses the international contemporary context which fostered the development of truth commissions as a means of social reconciliation in different contexts and parts of the world; the second briefly observes the historical and judicial background that preceded the Brazilian efforts towards the promotion of a National Truth Commission as well as the challenges faced by the Brazilian NTC in its constitution and, finally, in the last section we discuss its legacy to the country.

I. SOCIAL RECONCILIATION AND THE TRUTH COMMISSIONS IN THE INTERNATIONAL PERSPECTIVE

Truth-telling has emerged over the last three decades mainly because of the need of states and societies to address past crimes in the aftermath of war and violent conflicts. In fact, it has been considered by many scholars and policymakers as one of the cornerstones of successful contemporary peacebuilding. According to David Mendeloff (2004), truth-telling advocates make a few claims about its peace-promoting effects. Among them are: 1. it assures justice, 2. promotes social and psychological healing, 3. fosters reconciliation, and 4. deterrence of future crimes. It is intimately linked, then, to other central purposes of social reconciliation, i.e., justice and healing. Judith Herman (apud Mendeloff, 2004, p. 359) believes that “remembering and telling the truth about terrible events are prerequisites both for the restoration of the social order and for the healing of individual victims”. Therefore, Truth Commissions and Trials are being put into practice as an obligation owed to historical memory and as a valuable safeguard against forgetting. As Mendeloff points out, its distinctiveness lies in the fact that

¹ Our perspective of National Truth Commissions is that their value is very much conditioned to the context in which they are implemented and the motivation of its actors. Although elaborated according to shared purposes, their results vary considerably. In their essence, therefore, NTCs are neither positive nor negative and they should be evaluated according to each case.

(...) it provides an objective accounting of the past that can be used as the basis for developing a common shared history, which in turn helps serve as the basis for reconciliation. (...) (I)t “closes the book” on a painful history. By providing the definitive word on the past, it removes history as a point of contention among former adversaries, allowing them to work together constructively in new power-sharing arrangements. (...) Demagogues and ethnic entrepreneurs will have less success inciting violence by appealing to historical distortions and myths if the truth is actually known. (...) (Finally), (it has the role of) educating the nation about the events of the past, learning from history, and thereby preventing a resumption of violence (2004, p. 360).

On the other hand, the first publications related to the subject have as their primary motivation the democratic transitions that took shape in different parts of the world since the 1970s and after periods of authoritarian regimes. A 1986 publication entitled ‘Transitions from Authoritarian Rule’ (Macewan, 1986), although not focused on settling past accounts, already pointed out a strong tension between the desire to bury the past to avoid future violence and the need to confront the crimes of the prior regime. Moreover, it also called attention to the problems that traditional retributive justice mechanisms faced in situations where accountability and justice had to be promoted on large scale. In other words, these events made it clear that many social needs cannot be satisfied by action in the courts, even if the courts function perfectly and even if there are no limits for the prosecution of the wrongdoers, which is rare. For this reason,

(...) complementary approaches to criminal justice have slowly taken shape. Many needs of victims and communities that were damaged by the violence will not be addressed through such prosecutions, except perhaps in providing some solace if the perpetrators are successfully convicted. The institutional or societal conditions that allowed the massive abuses to occur—the structures of the armed forces and the judiciary, or the laws that should constrain the actions of officials, for example— may remain unchanged even as a more democratic and less abusive government comes into power. Many questions may remain open about exactly what took place during the years of repression, and tensions between communities may fester or deepen if these are left unaddressed. (Hayner, 2011, p.8)

These complementary approaches resulted in an important international security subfield of studies called ‘transitional justice,’ which embraces, among other things, the investigation of truth commissions as alternatives to promoting justice and reconciliation in post-war and post-authoritarian regime scenarios.

The first widely known truth commission was set up in Argentina in 1983, although it was not called as such. Truth commissions only emerged as a concept almost ten years later, after the National Commission on Truth and Reconciliation in Chile in 1990 and the Commission on the Truth in El Salvador in 1992. These first experiences were implemented in such distinctive formats that research on truth commissions still struggles to establish a concise definition. Some researchers proposed that a definition of truth commission should include: 1. a focus on severe acts of violence or repression; 2. acts that occurred during recent periods of abusive rule or armed conflict; 3. a description of the causes and consequences of the violations; 4. the investigation of violations that occurred within the sponsoring State 5. the support of the State; 6. taking the consideration of the victims as a primary concern; 7. operations relatively independent from the State; 8. explicit intention to advance reconciliation or democracy-building (Freeman, 2006).

Nevertheless, other researchers dispute the possibility of including all these elements in the concept building, considering it limiting and problematic. Their main argument is that what is fundamental in a truth commission is its intention of affecting the social understanding and acceptance of the country past and that, while there is increasing focus on promoting ‘reconciliation,’ this is not always the case for many truth commissions. It should not, therefore, be part of the definition. According to Priscila Hayner (2011, p.11), a more precise definition of a truth commission should, then, involve:

1. a focus on past rather than ongoing events; 2. an investigation of a pattern of events that took place over some time; 3. a broad and direct engagement with the affected population, gathering information on their experiences; 4. a temporary body, with the aim of concluding with a final report; and 5. an official authorization or empowerment by the state under review.

Due to the existence of different contemporary Truth Commission experiences, the study of each case proves even more essential and exciting, for they allow us to comprehend the variety of contexts they apply, the many challenges they confront, and which impacts they have on the countries and people they seek to address. Having these concerns in mind, we will, in the next section, observe the historical and judicial background that allowed the creation of a National Truth Commission in Brazil in 2011, as well as the main challenges it faced until its final report was published in 2014.

II. THE NATIONAL TRUTH COMMISSION IN BRAZIL: BACKGROUNDS AND CHALLENGES

2.1 Historical and judicial backgrounds of the NTC

Brazil remained under military control from 1964 to 1985, and this period was characterized by the practice and favoring of several types of human rights violations in a context marked by the suppression of constitutional rights, censorship, political persecution, and repression. The transition to democracy was slow and began during the administration of Ernesto Geisel, who ruled the country from 1974 to 1979 and who was responsible for the withdrawal of the Institutional Act n.5 (AI5), a fiat that was imposed in 1968, conceding absolute powers to the military President and institutionalizing repression in its highest level. During the next administration, President João Batista de Oliveira Figueiredo followed the steps of his predecessor and continued the process of gradually loosening the regime towards a political opening by approving the Law of Amnesty (Law n. 6638/1979) which allowed the return of the exiled politicians to Brazil and granted the judicial pardon to those who had committed political crimes in the name of the oppressive system. Pressed by social transformations, he also reestablished the multiparty system and gradually conducted the country to a new democratic reality (Gaspari, 2002).

During the 1983-84 years, the social movement known as *Diretas Já* – a democratic political movement with a large popular base – supported the constitutional amendment proposed by the deputy Dante de Oliveira, which put forward the re-establishment of direct elections for the presidency in Brazil. However, despite the sizeable popular support, the Congress did not approve the amendment, causing great disappointment to the Brazilian people. In the following year, Tancredo Neves — a prominent leader inside the Brazilian Democratic Movement Party (PMDB) — was elected President through indirect voting in an election representing the victory of an opposing party and an essential step toward democracy. Nevertheless, President Neves passed away before taking over the presidency, which ended up in the hands of José Sarney, his Vice-President, who became the first Brazilian civil President after twenty-one years of military regime.

In 1988, a new Federal Constitution was approved, followed by the return of direct elections and all the constitutional guarantees to the citizens, which represented essential grounds for the first free presidential elections in 1989. However, much of this preparation for the transition moment was promoted by social movements already fighting for democracy and civil rights since the 1970s. At that time, the organizations that represented

the families of the killed or disappeared victims during the dictatorship era and the survivors of the regime were the most active ones. Their activism in favor of democracy led to a significant strengthening of the human rights network inside the country (Pinheiro, Machado & Ballesteros, 2013).

Later, during the first democratic year, these organizations started to foster the investigation of human rights violations practiced during the 1964-85 period, which led to the creation of a Special Commission on Political Dead and Disappeared in the National Congress in 1991 and of the Committee of Human Rights and Minorities inside the House of Representatives in 1995. This Committee mobilized almost 150 human rights entities working in the country to discuss the Executive proposal for creating a National Human Rights Program (NHRP- I) due to a Human Rights World Conference held in Vienna in 1993 (Napolitano, 2016).

The first National Human Rights Program was approved in 1996, during the administration of President Fernando Henrique Cardoso, following the Decree n. 1.904 (Brasil, 1996). This document was broad in scope and presented public policy proposals related to different issues ranging from the protection of life, freedom, education, and citizenship to human rights, following the tenets of human rights international law. Two years later, in 1998, Brazil was recognized in the Human Rights Inter-American Court. The following year saw another critical step in the Brazilian human rights agenda was accomplished with the creation of the Secretary of Human Rights, an agency initially submitted to the Ministry of Justice in 1997 and later transferred to the direct control of the Presidency (Napolitano, 2016).

After several National Conferences promoted by the Committee of Human Rights and Minorities, a new version of the National Human Rights Program (NHRP- II) was approved in 2002 to include

(...) specific actions concerning guarantees to the right of education, health, social security and social assistance, work, housing, health environment, food, culture, and leisure, as well as proposals dedicated to the education and orientation of the Brazilian society to promote the construction and the consolidation of a human rights culture (Brasil, 2002).

Finally, in 2009, a third version of the National Human Rights Program (NHRP- III) was approved by the decree n. 7037 is Brazil's most advanced normative body in human

rights ever promoted. It had among its proposals the creation of a work group dedicated to the elaboration of a draft law which would establish the National Truth Commission (NTC) – with a definite mandate and limited term – and whose aim would be the investigation of grave human rights violations practiced during the authoritarian regime. This group was created on January 13th, 2010, and President Lula da Silva presented the NTC draft law to the National Congress in May of the same year.

In the item dedicated to the Right to Memory and Truth, the NHRP -III states that.

The history which is not transmitted from generation to generation can be forgotten and silenced. The silencing and forgetting of the atrocities provoke serious gaps in the collective experience of constructing national identity. By recovering memory and truth, the country acquires a superior conscience over its own identity and its democracy strengthens. The totalitarian temptations are neutralized and there are growing possibilities of a definite eradication of the reminiscences from that dark period – such as torture – which are still present in the Brazilians everyday life (Brasil, 2009, n. p).

In this context, the NTC was finally created on November 13th, 2011, after the sanctioning of the Law n. 12.528 (Brasil, 2011), and it received as its mission the elucidation, based on material evidence, of grave human rights violations, especially of practices of torture, killings, forced disappearance, and corpses concealment. It should also recommend: 1. measures and public policies to prevent Human Rights violations; 2. the promotion of guarantees against their repetition; and 3. the historical reconstruction of the grave human rights violations without relying on judicial powers.

Considering this scenario, we will briefly discuss, in the next section, the motivations, structure, and primary challenges faced by the Brazilian NTC until the publication of its final report in 2014.

2.2. The motivations, structure, and challenges of the NTC

Despite the efforts of the first civil administrations in promoting the engagement in the International Human Rights regime, the most significant achievements within the country were undoubtedly promoted by the action and dedication of the families of the victims of the dictatorial regime. Some of them had already insisted, back in the 1980s, on visiting and searching for information about those who disappeared in the region of Araguaia between 1972 and 1974. In 1982, a group of families filed a lawsuit against the Brazilian State for the deaths and disappearances in the Araguaia region. The final decision

was handed down only 27 years later with the condemnation of the State, which was forced to open its archives to provide all the documents connected with the *Guerrilha do Araguaia*² and to return the mortal remains of the victims to their families.

In 1985, another important event contributed to Brazil's evolution of Human Rights. During that year, the book *Brasil Nunca Mais* (1985) was released after six years of a complex and secret investigation conducted by Cardinal Dom Paulo Evaristo Arns with the cooperation of Reverend Jaime Wright. This publication compiled information extracted from the Brazilian Military Supreme Court Archives, which exhibited several cases of grave human rights violations practiced during the authoritarian regime and represented a significant victory of Brazil's human rights social movements. Ten years later, the families of the victims managed to achieve the approval of Law n. 9.140/1995 (Brasil, 1995), which established the creation of the Special Commission on the Dead and Political Disappeared, which would be dedicated to: 1 the recognition of the responsibility of the State in cases of death and political disappearances 2. the provision of support in the searches for mortal remains of the disappeared 3. the analysis of requests made by the families of the victims for financial reparation. One of the most significant achievements of this Commission was the publishing of the book *Direito à Memória e à Verdade*, which compiled the results of the investigations of about more than 383 confirmed cases of death and disappearances in the country (Gaspari, 2002).

This Commission, on the other hand, was quite limited compared to similar initiatives that took place in neighboring countries since it did not have the purpose of uncovering the truth about the deaths and disappearances and had limited access to official documents and testimonies. Thus, it forced the families to provide documents and evidence that could allow the Commission to issue its final reports. Despite expanding its mandate in 2002 and 2004, it kept working with the same information-gathering difficulties, reinforcing the case for the National Truth Commission.

In 2001, the Commission of Amnesty was created, according to the terms of Article 8 of the Brazilian Federal Constitution, and among its purposes was the evaluation of all requests for political amnesty and financial reparation. From 2007 on, however, it assumed

² The *Guerrilha do Araguaia* (1972-1974) was a movement of armed resistance against the military during the 1964-1985 dictatorship which was organized by militants of the left-wing parties in the states of Pará, Maranhão and Tocantins. It was an experience of rural guerrilla that aimed at promoting a revolution by taking the rural areas as a starting point. After two years of battles against the dictatorship the movement was annihilated by the armed forces.

an essential role in defending the right to memory and truth while promoting seminars and publishing books on these themes to cooperate with the debates fostered by the Secretary of Human Rights since 2006. On the other hand, the work of the Commission of Amnesty exerted some political pressure in favor of issues that represented a taboo in national politics, such as the opening of the armed forces archives, the appointment of authorships, motivations, and circumstances in which the violence was practiced by the authoritarian regime as well as the definition of civil and penal responsibility of individuals. Therefore, during public sessions, the Commission collected the testimony of many of those who were persecuted by the regime and presented a formal apology for the persecutions and violations in the past. Moreover, it also implemented projects dedicated to promoting political memory and creating the first Memorial to Amnesty (Abrão & Torelly, 2010).

Paradoxically, however, until 2007, the agenda of memory and truth seemed to be in a political limbo, since there was no engagement of the Brazilian political elite and society in the debate. This apathy would only be partially interrupted by two critical events: the decision of the Commission of Amnesty to concede the title of colonel to *Carlos Lamarca* – a former member of the Brazilian army who deserted to become one of the most influential leaders of the opposition movement against the authoritarian regime, killed by the military in 1971 – and the initiative of some high-ranking politicians to discuss the reversal of the 1979s Amnesty Law to promote the punishment of the perpetrators of gross human rights violations during the dictatorship years. However, despite the new provocations on the theme, the Executive, through the General Union Advocacy's speech, rejected the possibility of a revision of the Amnesty Law, a decision that was confirmed by most of the ministers at the Federal Supreme Court in 2010 and which denied the acceptance of the lawsuit presented by the Federal Council of the Brazilian Advocacy Order with the same purpose.

This decision also had quite a negative impact internationally. It contributed to the condemnation of Brazil in the Inter-American Court of Human Rights at the end of the same year as the result of the absence of Brazilian compliance to the Pact of San Jose, which determines the investigation and punishment of perpetrators of gross human rights violations related more specifically to the *Guerrilha de Araguaia* case. In its final report, the Court recommended the adoption of institutional measures dedicated to the investigation and punishment of those responsible for the disappeared and executed whose bones were found in the Araguaia region (Mezarobba, 2010).

On the other hand, the proposals related to the reversal of the Amnesty Law provoked the wrath of those organizations still connected to the members of the ancient authoritarian regime. One of their most vital reactions came to the public through the manifesto entitled “*Podem Vir. Por aqui, não passarão.*” published by three clubs integrated by armed forces members. The text criticized the proposal as an act of vengeance from the families of the victims and referred to the proposal of the National Truth Commission as a “Defamation Commission”. However, the Executive, through the speech of the Minister of Defense at that time, Celso Amorim, condemned the manifesto. In response, even more aggressive conservative organizations issued a letter signed by a larger number of conservative individuals and associations (Almada, 2021).

Therefore, this complex political context significantly impacted the debates preceding the elaboration of the draft law dedicated to the creation of the National Truth Commission. At the end of 2009, the working group that was assigned to produce the text of the draft law finished its work and had its final document approved by the National Congress in 2010. To reach a final consensus, however, they had to make several concessions, mainly by excluding some terms used in the third version of the National Human Rights Program (NHRP- III). Therefore, terms like *‘in the context of the political oppression’* were suppressed, and the purpose of the Commission was to ‘examine’ and not to promote ‘the investigation and public clarification’ of gross human rights violations. Moreover, the investigation was extended from 1946 to 1988, not to be limited to the period of the authoritarian regime initiated in 1964. The composition of the Commission should include members of the families of the victims and the political disappeared, as well as members of the Army. This measure was taken as a response to those who feared that the NTC would be partial or would promote the revision of the Amnesty Law (Torelly, 2018).

For all these reasons, the draft Law 7376/10 was thought to be the ‘most consensual version’ of the proposal, which would be dedicated to the ‘implementation of the right to memory and historical truth and the promotion of a national reconciliation.’ This draft law, nevertheless, was also the target of severe criticisms related to its 1. purposes, 2. political focus, 3. political and financial autonomy, 4. duration and number of members, 5. secrecy clauses, and 6. capacity.

According to its text, the Brazilian NTC should restrict its investigations to the identification of authorships, the clarification of facts, circumstances, places, institutions,

structures, chain of command in the practice of the crimes, location for deposit of mortal remains, historical reconstruction and political recommendation of political and public measures dedicated to preventing violence repetition. It also considered the criminal and civil responsibility of the perpetrators. Evidently, this last purpose was the most criticized by the opponents of the NTC once they feared that it could represent a way of dodging the application of the Amnesty Law. There was also worry about identifying authorships because it could represent a judicial requirement to establish civil and criminal responsibility. Moreover, the historical reconstruction was questioned because, according to its critics, the NTC should only publicize the information gathered and not re-write the official history over the period investigated. Finally, there was severe criticism from the supporters of the project, who feared that reconsidering all these controversial points mentioned above could invalidate the final purpose of social reconciliation (Abrão & Torelly, 2010).

Still, those who opposed the initiative of the NTC also questioned which actions should be investigated, claiming that not only the acts of the authoritarian regime should be revised, but also the ones promoted by those who participated in the armed political resistance movements³, which members of the dictatorship classified as terrorists. This also involved discussions about the composition of the Commission, as there was a constant demand from the Brazilian media and the armed forces for impartiality as the guiding principle for its member selection to guarantee that both sides were investigated⁴. For the members of the families of the victims, on the other hand, impartiality would only contribute to perpetuating the injustice⁵. In this respect, however, Paulo Ribeiro da Cunha (2014) presents a relevant argument that would justify the impartiality. The author points out that many members of the military were also persecuted by the regime as they resisted the violence perpetrated and also were ashamed for all that violence as much as the Brazilian people.

³ According to Oliveira (2015), these measures were not enough to guarantee the impartiality of the Brazilian NTC and it only victimized one part of the conflict without considering other truths that should have been presented to the Brazilian society. For him, the truth promoted through the Brazilian NTC only reverberated the perspective of those connected to the left party and did not consider the acts of violence perpetrated by those involved in the armed fight.

⁴ This was the main resource of the armed forces to establish the idea that violence was committed by both sides in equal terms.

⁵ It is important to note here the role of the media, mainly of the *Globo* press, in supporting the military coup d'état and the authoritarian regime.

Regarding the capacity of the Commission, the discussions were related to the fact that it would involve seven members and fourteen assistants to investigate forty-two years of history in two years only, which represented an impossible task. The political and financial autonomy of the Commission was also under criticism as the Presidency and its technical staff defined it, and this could represent an unwanted interference of the Executive on its functioning. Finally, the draft established the maintenance of the secrecy of some classified documents received from public state bodies — mainly those coming from the State's secret service — and preserved the confidentiality of any witness to safeguard personal rights (honor, private life, identity, etc.) if and when requested. Finally, the last debate concerned the doubts about the powers of the Commission, which, for some, should include the prerogative of acting upon a gathering of military and civil people. In contrast, for others, the Commission should only act under invitation.

After almost eighteen months of debates in the National Congress, the final text of the law was approved in 2011 and became known as law n. 12.528/2011 (Brasil, 2011), followed by its members assignment six months later. The composition of the Brazilian National Truth Commission finally implemented was: 1. a minister of the Superior Court of Justice, Mr. Gilson Dipp; 2. a former Attorney General of the Republic, Claudio Fonteneles; 3. a former Minister of Justice: José Carlos Dias; 4. a former member of the Administrative Council of Economic Defense: José Paulo Cavalcanti Filho; 5. a criminal Attorney and professor: Rosa Maria Cardoso da Cunha; 6. a political scientist and professor: Paulo Sergio Pinheiro and 7. a psychologist who also worked as a journalist during the 1970s: Maria Rita Kehl.

These names were chosen among prominent figures of the Brazilian political society, most of whom hold a law degree. They were assigned to act according to the following structure:

Table 1: Structure of Brazilian National Truth Commission.

Purposes: broad clarification of the grave violations without determining the civil or criminal responsibility/reconstruction of the historical truth/promotion of the national reconciliation.
Period of investigation: 1946 to 1988.
Political focus: only acts perpetrated by the agents of the State and other private or public agencies related to it.
Political and financial autonomy: administrative, economic, and technical support from the Executive.
Duration and number of members: 7 members, 14 assistants, the mandate of 2 years
Composition: Brazilian citizens of recognized trustworthiness and ethical conduct, identified with the defense of democracy and the respect of human rights, without any party affiliation, according to the principle of impartiality
Secrecy clauses: all of them were maintained
Power: act upon convocation of any military or civil individual and their consequent duty of collaborating with the Commission/access to any document classified as secret, including private ones.

Table organized by the author. Source: <http://cnv.memoriasreveladas.gov.br/todos-volume-1.html>. Last accessed on October 20, 2023.

As we can observe, some characteristics of the final structure of the Commission reflected the purposes of those working to promote truth in the country; others, however, represented significant obstacles to a more comprehensive result that could significantly contribute to social/national reconciliation in Brazil.

Considering this structure, we can notice how the criticisms made by the conservative sectors of Brazilian society had a significant impact on the constitution of the National Truth Commission, limiting its possibilities of action and compromising its capacity to promote national reconciliation and the healing of the traumas produced by the gross human rights violations on those who survived the authoritarian regime. For this reason, even if some of the most favorable characteristics were preserved in its constitution, they faced constant obstacles imposed by those who disapproved of the activities of the Commission.

In this context, according to its first partial report published in May 2013, the National Truth Commission dedicated itself to 1. the definition of the legal framework of its activities; 2. the organization of the inquiries on the grave human rights violations that occurred between 1946 and 1988; 3. the definition and expansion of its working group and 4. the establishment of an open channel of communication with the governmental bodies associated with the NTC and the organized civil society.

A couple of months earlier, in July 2012, the NTC gathered different civil society organizations in Brasilia to collect suggestions, information, and documents. Several

interventions of these organizations were considered by the Commission, which sent its members to many parts of the country to promote 15 public hearings and to participate in other public events. At the same time, it established a permanent contact with the Brazilian society through social media (Twitter/ Facebook/ Youtube) and the many partnerships established with other social organizations. In September 2012, according to the NTC official website, the Commission defined that its primary legal reference would be to examine gross human rights violations perpetrated by public agents by resolution n.2 based on law 9140/95. In the same period, as a response to the request of the Herzog family, the Justice of the city of São Paulo determined the correction of the death certificate of Vladimir Herzog⁶ to allow the recognition that the death of the journalist in 1975 resulted from mechanical asphyxia and physical injuries while he was kept prisoner at the II Army building (also known as DOI-CODI⁷). This declaration, which received judicial support, now serves as an example for other families to demand the same rights.

Moreover, in December 2012, the NTC announced the division of its investigation into thirteen working groups which were dedicated to different issues related to the repression systematically practiced by the State during the dictatorial regime, which included the *Guerrilla do Araguaia* case, the Brazilian participation in the *Condor Operation*⁸, the role played by the churches, the media, and the judicial system, etc. It also managed to gather more financial resources and a staff of more than fifty people among members and collaborators to deliver a thorough report on the grave human rights violations practiced in the country from 1946 to 1988, as well as recommendations to the Brazilian State to

⁶ Vladimir Herzog, born in former Yugoslavia and naturalized Brazilian, was a journalist and member of the Brazilian Communist Party as well as one of the most prominent figures in the resistance against the authoritarian regime. He was tortured and killed in the DOI-CODI facilities after presenting himself to answer some accusations of taking part at some ‘criminal acts’. His death triggered the first large popular manifestation against the violence of the authoritarian regime in Brazil.

⁷ A facility used by the military for interrogations, torture, and deaths of those who resisted the authoritarian regime.

⁸ The Condor Operation (also known as The Carcará Operation in Brazil) was a political-military alliance among several military regimes in South America (Brazil, Argentina, Chile, Bolivia, Paraguay, and Uruguay) and the CIA in the USA, which operated during the 1970s and 1980s to coordinate the repression of all the opponents of the dictatorships in their countries. They also had the purpose of eliminating any leftist leadership who lived in these countries and reacting to the Latino-American Solidarity Organization, created by Fidel Castro, during the same period. The initiative of its creation came from the Chilean government at the time, and it operated until the re-democratization waves in those countries at the end of the 1980s and the beginning of the 1990s. It was named as a reference to the condor, a vulture – an animal that feeds itself from rotten flesh – typical of the Andes region.

prevent those atrocities from happening again in the country history. (Teles & Quinalha, 2020)

To expand its activities, the NTC signed in January 2013 a partnership with the United Nations Development Program for technical support to construct the NTC structure in three areas: research, articulation with society, and communication. Finally, in May 2013, after completing one year of work, the NTC presented its *Annual Balance Report*.⁹ On December 6th, 2013, the mortal remains of former President João Goulart were returned to his family's grave in São Borja, Rio Grande do Sul, a state in the extreme south of Brazil.

The ceremony promoted by the National Commission happened after his mortal remains were exhumed to provide more information about the causes of his death once there was a suspicion that he was murdered by the authoritarian regime, which had caused his deposition in 1964. Another important event was the release of an NTC partial report on the case of the federal deputy representative of the Brazilian Workers Party (PTB), Rubens Paiva, whose political license was revoked in 1964 after the military coup d'état and who was killed after a period in exile. He was arrested on January 20, 1971, by the agents of the Navy and later transferred to the Army's custody at the DOI-CODI in Rio de Janeiro. He was tortured in both places, and his death is an astonishing example of the farce the military used to hide their crimes. The body of Rubens Paiva was not found yet, but new documents now present clear evidence about the conditions of his death.¹⁰¹¹

Through the Provisional Measure n. 632 of December 24, 2013, the mandate of the NTC was formally extended until November 16, 2014. On December 10, 2014, the final report was delivered to President Dilma Rousseff in a modest ceremony, considering the importance of the results presented. According to Gallo (2015), the ceremony gathered only a few essential authorities. It was restricted to the public audience because the

⁹ See the Annual Report in: <http://www.cnv.gov.br/images/pdf/balanco1ano.pdf>. Accessed on November 23, 2023.

¹⁰ To access the report, see: http://www.cnv.gov.br/images/pdf/relatorio_preliminar_26-02.pdf. Accessed on November 23, 2023.

¹¹ In his declarations to the NTC, former Army Colonel Paulo Malhães admitted that he participated in several sessions of torture, death, and violence during the dictatorship when he was an agent of the Army Information Center. He was one of the officers responsible for the House of Torture in Petropolis, a small city near Rio de Janeiro, where he admitted that he had killed several opponents to the military regime. He also admitted that he used to cut the tips of fingers of his victims and mutilate their bodies to avoid their identification. One of the bodies he helped to hide was Rubens Paiva's. For more, see: <https://www.facebook.com/comissaonacionaldaverdade?fref=ts>. Accessed on November 28, 2023.

government was concerned about the reaction of Brazilian society and the military. The report was divided into three volumes, and their contents can be summarized as follows:

1. Volume 1 presents the country's political history between 1946 and 1988, with an emphasis on the dictatorial period. It also presents the history of public policies related to transitional justice practiced in Brazil.
2. Volume II covers the acts of repression and violence that were promoted against specific segments of Brazilian society, which included professors, college students, city workers, religious and indigenous people, members of the LGBTQIA+ community, and the military that opposed the dictatorial regime. This volume is significant for its detailed account of the participation of members of the civil society – the entrepreneurs and members of the elite – in establishing the 1964 *coup d'état*. It also covers civil society's resistance to violence promoted by the state, such as the work of the cardinal archbishop of São Paulo, Don Evaristo Arns.
3. Volume III: this is the most extensive report and presents the biography of 434 identified dead or disappeared people during the period 1946-1988. The list is limited due to the lack of cooperation from the armed forces in opening their archives, despite the Brazilian access to information law (Silva, 2016).

In conclusion, the NTC confirmed that the repressive apparatus of the State practiced the crimes and human rights violations in a systematic way, which qualified them as crimes against humanity. Also, in a preventive tone, the final report elaborated 29 recommendations to be followed by the State after the conclusion of the NTC works in order to guarantee preservation of the historical memory of these events and to help prevent future repetition crimes and violations. Among these recommendations, one can highlight:

- The prohibition of official events in celebration of the 1964 *coup d'état*.
- Modifying the military and police academic curricula to promote democracy and human rights.
- The promotion of democratic values and human rights by the education system
- The revocation of the National Security Law
- The establishment of a permanent organ dedicated to the implementation of the NTC recommendations.
- The preservation of the memory of the grave human rights violations.

- The continuing efforts of localizing and opening archives related to the dictatorial period.

Unfortunately, as we will see in the next section, all these recommendations highlighted above would be progressively attacked in the following years, specifically after the *coup d'état* against President Dilma in 2016.

III - THE AFTERMATH OF THE BRAZILIAN NATIONAL TRUTH COMMISSION AND THE REMAINS OF ITS LEGACY: A PHOENIX RISING FROM THE ASHES?

In the first few years after the end of the NTC, the general perspective was that although much more was expected, the results produced were entirely meaningful to the preservation of democracy and the protection of human rights in the country. As Torelly (2018, p. 17) pointed out,

The report explicitly states that authoritarian legality was a cover for gross human rights violations and that the justice system supported an illegitimate government, using the law to grant an aura of legality to unjustified abuses and violations. It also clearly states that despite the lower number of deaths among opponents of the regime, Brazilian military rule was far from being a *dictablanda* (a mild dictatorship).

Many believed then that, despite being a late NTC, the Brazilian commission was productive because it functioned without the direct influence of the military, thus breaking with the idea of a controlled transitional justice model. This structure allowed the NTC not only to put the military in a tight corner every time they refused to cooperate with the investigations but also helped in the promotion of relevant historical accountability by naming those responsible for over 400 deaths and 45,000 officially recognized victims of torture and several other gross violations as well as collecting legal evidence for future prosecutions. On the other hand, others point out that Brazil was already a stable democracy when the NTC was established and that it would not bring any new historical discoveries or any truth to Brazilian society.

The fact is that the promotion of the NTC in Brazil ended up revealing an underlying conservative force that, along with the military, would understand the results of the NTC and the permanent organs established to implement its recommendations as a threat to their interests and would do everything in their power to destroy its legacy and every public

policy dedicated to preserving the memory of the country. According to Cunha (2020), the NTC exasperated the armed forces and every individual who was in favor of the repressive politics of the dictatorship years, like the former President Jair Messias Bolsonaro — himself a former captain of the Army — who made several virulent speeches against the NTC during his congressman term. Also, inside the Army, there were those who were educated to understand that the dictatorship was a legitimate and patriotic choice made by the armed forces and who started to fear future forms of accountabilities for violent conduct in interventions made under the justification of protecting the public order.

The scenario turned to be even more challenging by the time of the release of the NTC final report, as President Dilma had her government politically pressed by low popularity and several internal tensions, which made her adopt a mild tone while dealing with the armed forces. In the end, she accepted not to create an open ceremony to celebrate the truth that she – as a victim of the dictatorship violence – had personal reasons to make widely popular. At the same time, manifestations against the government were happening in different parts of the country, which already showed voices acclaiming the dictatorship era and calling for military intervention. At the same time, some sectors of the military started to criticize and insult the NTC final report by defining it as a despicable attempt to destroy the pact conveyed by the Amnesty Law.

These opposing forces were not able to prevent the reelection of President Dilma. Still, they were strong enough to paralyze the government agenda in Congress and instigate the middle class's dissatisfaction, which quickly ended in the defense of the President's impeachment and a military intervention. These protests were initiated as a movement against the President and her Labor Party and soon reached enormous proportions. They encouraged those seeking the President's removal to take action in pursuit of their objectives. Her impeachment finally happened after the Senate suspended her powers on April 17, 2016, charging the President with criminal, administrative misconduct and disregard for the federal budget in violation of article 85, items V and VI, of the Brazilian Constitution and the Fiscal Responsibility Law, Article 36 (Almada, 2021).

However, President Dilma's impeachment represented not only the end of a long period of the Labor Party in power but also signaled the dismantling of the social politics, which were progressively substituted by the neoliberal agenda promoted by Michel Temer, former Vice President who was conducted to the presidency. Temer started his administration with a controversial reform that compromised some essential workers'

rights and opened space for several military members to be part of his ministries. In addition to this new scenario there was his decision to change the composition of the Commission of Amnesty members, replacing victims for sympathizers of the 1964 dictatorship. Among them were José Francisco Rezek, a former member of the Supreme Federal Court, nominated by former President João Batista Figueiredo during the dictatorship years, and some other names¹² who were associated with and mentored by Manoel Gonçalves Ferreira Filho, a professor of Law and an advocate of the 1964 dictatorship who renamed it as the '1964 Revolution'.

Nevertheless, one of the most flagrant examples of dismantling the politics of memory was the appointment of General Sérgio Etchegoyen to the position of minister in chief of the Institutional Security Cabinet. He was the son of General Leo Etchegoyen, responsible for several human rights violations during the dictatorship, as well as the nephew of Cyro Etchegoyen, who, according to the NTC, was responsible for the 'House of Death', a place used by the military for executions and torture located in the city of Petropolis, RJ. Since that moment, the presence of the military in positions of power already indicated their desire to return to the political arena, even if it was being done in a democratic form. Therefore, some influential members of the Commission of Amnesty also decided to resign, denouncing the destruction of the legacy of the NTC and the politics of memory in the country by the new administration (Schallenmüller, 2015).

By the end of President Temer's term, the election period was already impregnated with the inflammatory discourses of Jair Messias Bolsonaro, a career politician who had served in Congress for 26 years and had minimal political status until 2018, when he decided to run for the presidency by adopting a far-right agenda which in several moments reinforced authoritarian purposes. During the impeachment process of former President Dilma, Jair Bolsonaro voted in favor of her deposition by exalting Colonel Carlos Alberto Brilhante Ustra, one of the cruelest torturers in activity during the 1964 dictatorship and responsible for hundreds of victims tortured at DOI-CODI facilities.

A couple of years earlier, however, Bolsonaro had already shown contempt for those who defended the implementation of a politics of reparation for the victims of the dictatorship in the country. In his speeches as a congressman, he questioned the absence of reparations for military death during their fight against the guerrilla and the low salaries

¹² These names were Carlos Bastide Horbach, who published a book entitled *Direito Constitucional, Estado de Direito e Democracia: homenagem ao Prof. Manoel Gonçalves Ferreira Filho* in co-authorship with another name indicated to the commission, Fernando Dias Menezes de Almeida.

paid to the armed forces at the time by President Lula's government. In 2008, he claimed that the only mistake made by the military during the 1964 dictatorship was that they should have killed their opponents instead of torturing them (Pucci, 2020). In 2014, during the works of the NTC, in a ceremony at the Chamber of Deputies in honor of politically disappeared deputy Rubem Paiva, Bolsonaro, after spitting at his bust, started to scream that Paiva was a communist who deserved the fate he had right in front of his family and friends.

It was no surprise, then, that the attacks against the politics of memory would get more frequent and severe after his election. He indicated several military members for his ministries and amplified the armed forces influence in several governmental issues. Nonetheless, a civil minister contributed more significantly to dismantling the country's politics of memory: the minister of women, family, and human rights, Mrs. Damares Alves. Since the first day of his administration, Bolsonaro approved a Provisory measure (n. 870)¹³ that transferred the organs responsible for the implementation of politics of memory to the control of Mrs. Alves' ministry without any reasonable justification but the statement that now the government was aligned with the right wing. With this control in hands, Mrs. Alves canceled all the governmental funding to projects dedicated to education related to transitional justice by stating that there were many irregularities inside the Commission of Amnesty, that its function had been distorted, and that a lot of money was being wasted on history books without a justifiable purpose (Cunha, 2020).

Soon, she decided to change the composition of the commission again by indicating more military members, which were clearly against the politics of memory and sympathizers of the dictatorship. These new members initiated and engaged in a campaign of valorization of the dictatorship that caused the distortion of finality, which was alleged by the minister before, and the CA ended up representing the values against which it should be fighting. Her ultimate objective was to close the Commission of Amnesty, which she fiercely pursued through different measures, from the ending of the project of the Museum of Amnesty in Belo Horizonte to the denial of most of the requests for reparations and the attempt to accelerate the examination of the remaining requests as much as possible. For her and the President, amnesty was a synonym for forgetting (Cunha, 2020).

¹³ This Provisory measury was converted in Law n. 13.844/2019 (Brasil, 2019).

Bolsonaro, during this period, got directly involved in some other acts against the politics of memory. After the President of the Brazilian Lawyers Order, Mr. Felipe Santa Cruz, received, in July 2019, the certificate of death of his father, Fernando Augusto Santa Cruz, from the Special Commission for the dead and political disappeared as a recognition that he died a violent death caused by the Brazilian State, President Bolsonaro decided to attack him by insinuating that he knew where Mr. Santa Cruz father had been buried. After this provocation, Mr. Santa Cruz demanded the action of the Supreme Federal Court to investigate President Bolsonaro, who was called by the court to explain his declarations, to which he responded by denying knowing anything about the issue (Valente, 2020).

After this episode, The Special Commission for the Dead and Political disappeared became his main target in the following months. As a form of retaliation, President Bolsonaro decided to change four of the commission's seven members by Decree for new members from the armed forces or sympathizers of the dictatorship. Moreover, in 2020, a Resolution was approved. The attributions of the Commission were reduced in an apparent attempt to put an end to its activities after having its functioning distorted by people who denied the violence practiced in the past and who promoted historical revisionism that glorified the dictatorship years to endorse the impunity of the crimes practiced against those who lost their lives fighting for democracy (Valente, 2020).

The election of Luiz Inácio Lula da Silva in 2022, after a tight dispute with President Bolsonaro, brought back the hope that the NTC legacy could be rescued after being practically destroyed by the former administration. Unfortunately, the transition between the administrations would not be easy, and an coup attempt in January 8 of the following year by President Bolsonaro and his associates caused even more tension for the Brazilian society and its leading institutions and is under investigation. Despite these challenges, the country has slowly recovered some normality. However, it still struggles with a society polarized by the supporters of Bolsonaro and those who support the Labor Party and President Lula. According to Carlos Artur Gallo (2023), as far as the politics of memory is concerned, on January 17, 2023, President Lula announced the new composition of the Commission of Amnesty, now integrated by 14 members and presided by Enéa de Stutz e Almeida, a professor of Law at the University of Brasilia (UnB) and former member of the Commission before its dismantling. It is now under the control of the Ministry of Human Rights and Citizenship. The purpose of the new board is to recover the work that was interrupted in 2016, with the revision of the more than 4000 decisions that have been made since then (Gallo, 2023).

There are already results for some of the initiatives of the Commission in the sense of a return to its true purpose, such as the announcement of the revision of amnesty requests that were denied and a public apology to the victims of the dictatorship for all the wrongdoings of the last administrations in the few years. In another symbolic gesture, the minister of Human Rights and Citizenship also received in his office some victims of the dictatorship and their families to discuss new measures for the promotion of memory, truth, and justice in the country for the following years. Also, the celebration of the 1964 *coup d'état* was again forbidden according to the recommendation of the NTC, and it was established a punishment inside the armed forces for those who decided to disobey it. At the same time, it was launched the proposal of a week dedicated to the memory of the dictatorship – the *Semana do Nunca Mais* – to promote a culture of democracy, truth, and justice which was followed by two other promises still in process of being implemented: The recreation of the Special Commission of the Dead and Political Disappeared that was completely shut in 2022 and the creation of a Working Group dedicated to the monitoring of the implementation of the 29 recommendations of NTC. (Gallo, 2023)

On a final note, it is essential to observe that after all the events that happened in Brazil since 2016, the evaluations made soon after the end of the NTC were mistaken and proved that the Brazilian society took for granted the persistence of the power exerted by the military since the democratization process that was initiated in 1985. The Law of Amnesty has been perpetuating the impunity of those who still try to undermine the democratic institutions in the country and making it difficult to consolidate a reality of peace and respect for human rights in Brazil.

In this sense, the National Truth Commission in Brazil means more than just a historical account of events almost forty years ago. It should not be considered a final attempt to close a distant, painful chapter of the country's history. As observed above, this chapter is far from being closed, since the forces that enabled an authoritarian regime validated by judicial institutions and extremely violent in the past are still in movement, now fomented by discourses of hate and leaders in search of power. Moreover, the political polarization of the Brazilian society also indicates the fragility of the politics of memory implemented in the country in the previous years, which reinforces the urgent need to consolidate the recommendations of the National Truth Commission as politics of State to prevent that any government could attempt to destroy such a vital legacy ever again in the future.

REFERENCES

- ABRÃO, Paulo; TORELLY, Marcelo. (2010). Justiça de Transição no Brasil: a dimensão da reparação. *Revista Anistia Política e Justiça de Transição*, Brasil: Ministério da Justiça, v. 3, p. 108-139.
- ALMADA, Pablo. (2021). O negacionismo na oposição de Jair Bolsonaro à Comissão Nacional da Verdade. *Revista Brasileira de Ciências Sociais*, vol. 36, n.106. Available at: <https://www.scielo.br/j/rbcsoc/a/CZWVW6TYjzGpPnYG9Nnyfr/>. Accessed on: 10 nov. 2023.
- BRASIL. (1996). Decreto nº 1.904, de 13 de maio de 1996. Institui o Programa Nacional de Direitos Humanos - PNDH. Brasília: Presidência da República. Available at: http://www.planalto.gov.br/ccivil_03/decreto/D1904.htm. Accessed on: 10 nov. 2023.
- BRASIL. (2019). Lei nº 13.844, de 18 de junho de 2019. Conversão da Medida Provisória nº 870, de 2019. Estabelece a organização básica dos órgãos da Presidência da República e dos Ministérios; altera as Leis nos 13.334, de 13 de setembro de 2016, 9.069, de 29 de junho de 1995, 11.457, de 16 de março de 2007, 9.984, de 17 de julho de 2000, 9.433, de 8 de janeiro de 1997, 8.001, de 13 de março de 1990, 11.952, de 25 de junho de 2009, 10.559, de 13 de novembro de 2002, 11.440, de 29 de dezembro de 2006, 9.613, de 3 de março de 1998, 11.473, de 10 de maio de 2007, e 13.346, de 10 de outubro de 2016; e revoga dispositivos das Leis nos 10.233, de 5 de junho de 2001, e 11.284, de 2 de março de 2006, e a Lei nº 13.502, de 1º de novembro de 2017. Brasília: Presidência da República. Available at: http://www.planalto.gov.br/ccivil_03/_Ato2019-2022/2019/Lei/L13844.htm. Accessed on: 10 nov. 2023.
- BRASIL. (2011). Lei nº 12.528, de 18 de novembro de 2011. Cria a Comissão Nacional da Verdade no âmbito da Casa Civil da Presidência da República. Brasília: Presidência da República. Available at: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/Lei/L12528.htm. Accessed on: 26 ago. 2024.
- BRASIL. (2002). Decreto nº 4.229, de 13 de maio de 2002. Dispõe sobre o Programa Nacional de Direitos Humanos - PNDH, instituído pelo Decreto no 1.904, de 13 de maio de 1996, e dá outras providências. Brasília: Presidência da República. Available at: http://www.planalto.gov.br/ccivil_03/decreto/2002/D4229.htm. Accessed on: 10 nov. 2023.
- BRASIL. (2009). Decreto nº 7.037, de 21 de dezembro de 2009. Aprova o Programa Nacional de Direitos Humanos - PNDH-3 e dá outras providências. Brasília: Presidência da República. Available at: https://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2009/Decreto/D7037.htm. Accessed on 10 nov. 2023.
- BRASIL. (1995). Lei nº 9.140, de 04 de dezembro de 1995. Reconhece como mortas pessoas desaparecidas em razão de participação, ou acusação de participação, em atividades políticas, no período de 2 de setembro de 1961 a 15 de agosto de 1979, e dá outras providências. Brasília: Presidência da República. Available at: https://www.planalto.gov.br/ccivil_03/Leis/L9140.htm. Accessed on: 10 nov. 2023.
- BRASIL NUNCA MAIS. (1985). Um relato para a história, 41ª ed. Petrópolis: Vozes.
- CUNHA, Paulo Ribeiro. (2014) A Comissão Nacional de Verdade e os militares perseguidos – desafios de um passado no tempo presente e futuro. *ACERVO*, Rio de Janeiro, V. 27, nº 1, p. 137-155, jan./jun.

CUNHA, Rosa Maria Cardoso da. (2020). Comissão Nacional da Verdade: impulso à democratização ou fator de retrocesso? In: TELES, Edson; QUINALHA, Renan. **Espectros da ditadura: da Comissão da Verdade ao bolsonarismo**. São Paulo: Autonomia Literária, pp. 100-116.

FREEMAN, Mark. (2006). **Truth Commissions, and Procedural Fairness**. New York: Cambridge University Press.

GALLO, Carlos Artur. (2015). A Comissão Nacional da Verdade e a reconstituição do passado recente brasileiro: uma análise preliminar da sua atuação. *Estudos de Sociologia*, v. 20, n.39, pp. 327-345. Available at: <https://periodicos.fclar.unesp.br/estudos/article/view/7457/5626>. Accessed on 04 feb. 2024.

GALLO, Carlos Artur. (2023). "Sem anistia?" Perspectivas sobre as políticas de memória no governo Lula. *História da Ditadura*. Available at: <https://www.historiadaditadura.com.br/post/sem-anistia-perspectivas-sobre-as-politicas-de-memoria-no-governo-lula>. Accessed on 05 mar. 2023.

GASPARI, Elio. (2002). **A ditadura escancarada**. Rio de Janeiro: Intrínseca.

HAYNER, Priscilla B. (2011) **Unspeakable truths: facing the challenge of truth commissions**. 2ª ed. New York: Routledge.

MACEWAN, Arthur. (1986). **Transitions from Authoritarian Rule**, Baltimore, John Hopkins University Press.

MENDELOFF, David. (2004). Truth-seeking, Truth-telling, and Post-Conflict Peacebuilding: Curb the enthusiasm? *International Studies Review*, pp. 355-380 (6).

MEZAROBBA, Glenda. (2010) Entre Reparações, meias verdades e impunidades. O difícil rompimento com o legado da Ditadura no Brasil. *SUR Revista Internacional de Direito Humanos*, v. 7, n. 13, pp. 7-24.

NAPOLITANO, Marcos. (2016). **1964: História do Regime Militar Brasileiro**. São Paulo, Contexto.

OLIVEIRA, Eliézer R. (2015). Além da Anistia, quem da verdade: o percurso da Comissão Nacional da Verdade. Curitiba, Prismas.

PINHEIRO, Paulo; MACHADO, Pedro; BALLESTEROS, Paula. (2013). O Direito à Verdade no Brasil. *Revista Jurídica da Presidência*, v. 15 n. 105.

PUCCI, Bruno. (2020). A personalidade autoritária no Brasil em tempos de neoliberalismo e de coronavírus. *Revista Eletrônica de Educação*, v. 14, pp. 01-17. Available at: <http://www.reveduc.ufscar.br/index.php/reveduc/article/view/4538>. Accessed on: 10 de novembro de 2023.

ROUSSEFF, Dilma. (2012). Discurso da presidenta da República Dilma Rousseff na cerimônia de instalação da Comissão Nacional da Verdade. Brasília: Presidência da República. Available at: <http://www.biblioteca.presidencia.gov.br/presidencia/expresidentes/dilma-rousseff/audios/audio-do-discurso-da-presidenta-da-republica-dilma-rousseff-na-cerimonia-de-instalacao-da-comissao-nacional-da-verdade-brasilia-df-20min30s>. Accessed on: 10 nov. 2023.

SCHALLENMÜLLER, Christian Jecov. (2015). O discurso da “conciliação nacional” e a justiça de transição no Brasil. Tese (Doutorado em Ciência Política) – Faculdade de Filosofia, Letras e Ciências Humanas, Universidade de São Paulo, São Paulo.

SILVA, Carla Luciana. (2016). Consenso e coerção na ditadura. In: SILVA, Carla Luciana; CALIL, Gilberto Grassi; SILVA, Marcio Antônio Both da (orgs.). Ditadura, transição e democracia: estudos sobre a dominação burguesa no Brasil contemporâneo. Porto Alegre: FCM Editora, pp. 43-63.

TELES, Edson; QUINALHA, Renan. (2020). **Espectros da ditadura: da Comissão da Verdade ao bolsonarismo**. São Paulo: Autonomia Literária, pp. 58-81.

TORELLY, Marcelo. (2018) Assessing a Late Truth Commission: Challenges and Achievements of the Brazilian National Truth Commission. *International Journal of Transitional Justice*. *International Journal of Transitional Justice*, ps1–22.

VALENTE, Rubens. (2020). Corregedora arquiva acusação de aliado de Damares contra procuradora. UOL. Available at: <https://noticias.uol.com.br/colunas/rubens-valente/2020/05/26/mortos-desaparecidosdamares-alves.htm>. Accessed on: 16 de outubro de 2023.

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