

#### CHAPTER 34

# The Brazilian National Truth Commission (2012–2014) as a State-Commissioned History Project

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Focusing on the Brazilian National Truth Commission (2012–2014; hereafter: NTC), this chapter asks what this empirical case reveals about the processes and outcomes of state-commissioned history in the particular form of a truth commission. To what extent may the Brazilian example serve to challenge accepted concepts and assumptions about state-commissioned history?

In order to answer these questions, we focus on the variety of mechanisms of state control from the formulation of the law that established its legal mandate in 2011 to the months following the commission's formal extinction in December 2014. In the Brazilian case, the state tried to restrain the commission's work from the outset through subtle legal, political and financial means. On a few occasions, NTC commissioners and civil society organizations found ingenious ways to overcome these limitations, whereas at other times the barriers proved insurmountable. These instances of circumventing state control demand a more sophisticated reading of truth commissions, one that recognizes the dichotomy between the state and civil society in all its complexity. Within this more complex reading, state-commissioned historical writing can best be conceptualized as

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a process that involves several state and non-state protagonists who interact and negotiate with each other. This chapter provides a very brief critical introduction to the NTC's outputs, and offers a preliminary assessment of the NTC's short- and medium-term impact on what is known as "national historiography" and "collective memory."

Before we can analyze to what extent and by what mechanisms the Brazilian state sought to control the NTC, we need to problematize briefly the state as a category of analysis. After a decade of completely ignoring the dictatorial past (1985-1995), various state actors in Brazil—who represent a far from homogeneous interest group—have been grappling with the question of what kind of official memory politics to adopt. Since 2008, in particular, contrasting opinions among civil servants about whether to address the past and if so how to do it, have come to the fore. To provide a key example, one of the most contentious points has been the punishment of perpetrators. To this day, the 1979 Amnesty Law is used to shield former officials involved in state violence from criminal prosecution (not a single perpetrator has yet been punished in Brazil). Although it is beyond the scope of this chapter to discuss who has or not demanded that the state address the dictatorial past (Schneider 2013), it is important to bear in mind that when we use the term "state" we are dealing with a complex and multiform entity that to a certain extent remains an abstract category. As becomes clear in this chapter, the Brazilian state is heterogeneous in nature, a body comprised of agents with diverging objectives.

## THE CONTEXT OF THE NTC'S EMERGENCE

In 1964, a military coup took place in Brazil, marking the start of an authoritarian regime that violated the human rights of tens of thousands of citizens. After the return to formal democracy in 1985, successive democratic governments avoided addressing the country's violent past, and reaffirmed their commitment to the so-called "transitional pact." This pact, supposedly devised to reinstate democracy by balancing the demands for truth and justice from organized civil society with appeasing conservative sectors of society and the military has effectively protected perpetrators of human rights violations. Thus, in the years following redemocratization, scant attention has been paid to the human rights crimes committed by agents of the state.

In order to understand the context of its emergence, it is important to remember that the NTC was preceded by both private and official initiatives designed to provide a narrative of the dictatorship. The 1985 report *Brasil Nunca Mais* ("Brazil: Never Again," BNM) first documented the systematic use of torture during the military dictatorship. This landmark project coordinated by the Catholic Church was based on documents pertaining to military trials secretly copied during the regime. The first official report on state-sponsored violence was only published years later (Secretaria Especial dos Direitos Humanos 2007) and largely drew upon

investigations conducted by the families of victims. Both initiatives are acknowledged in the NTC report. Another key resource for NTC researchers (Comissão Nacional da Verdade 2013, p. 3) was the work of the federal Amnesty Commission, the Brazilian organ responsible for financial and moral reparations. Since 2002 the Amnesty Commission has decided upon individual cases of financial compensation and collected substantial evidence of human rights violations committed during the dictatorship (Abrão and Torelly 2011). The case files of thousands of individuals who applied for reparations are expected to be integrated into a new archive and museum currently under construction in the city of Belo Horizonte, the Amnesty Memorial.

For nearly three decades, the Brazilian state refused to heed calls for a systematic and state-led investigative project, and only reluctantly conceded under a complex set of external and domestic pressures. The primary source of external pressure came from the Inter-American Court of Human Rights (IACHR), a supranational body that in late 2010 condemned the Brazilian state for crimes committed during the dictatorship in the Araguaia region. This ruling classified them as crimes against humanity and, as such, Brazil is obliged to investigate and prosecute the perpetrators. From that perspective, the NTC can be portrayed as a diplomatic project with the primary goal of appeasing the international human rights community rather than clarifying crimes, rehabilitating victims, and writing a new "national history" (Schneider 2013). International recognition is vital, because Brazil has recently been striving to raise its profile within international politics, including making a bid for a permanent seat on the United Nations' Security Council. In addition, the international human rights community has been promoting truth commissions as part of a larger accountability movement. This global trend towards accountability (famously dubbed the "justice cascade" by Kathryn Sikkink 2011) has been accompanied by the rise of truth commissions as a model institution with which to address violent pasts, a development that may have increased the pressure on the Brazilian state.

Domestic demands mostly came from the families of victims and human rights activists who had been campaigning for truth and accountability for decades (Santos MacDowell et al. 2009; Mezarobba 2007; Teles 2001). Pressure on the state mounted from approximately the mid-2000s onwards when demands received the backing of key protagonists from within the state, probably influenced by global accountability discourses and norms (Schneider 2014). Members of the Amnesty Commission have frequently collaborated with international scholars and practitioners promoting accountability measures and the spread of international human rights law. To summarize, nearly three decades after the formal return to democracy, the NTC was formed as a result of a lengthy negotiation process rather than an immediate concerted response at the moment of political transition. The families of victims had long struggled for human rights crimes to be clarified, however, the NTC only emerged once their demands were supported by

pro-accountability officials within the state apparatus and the international human rights community (the IACHR, the United Nations and nongovernmental organizations).

## STATE CONTROL FROM THE OUTSET

In the Brazilian case, the state constrained the work of the NTC from the outset by the very process of its formal institution. The commission was to be ratified by Congress rather than formally inaugurated by presidential decree, yet even its installation was contested among different groups within the state (civil servants within the legislative, judiciary and executive bodies; political parties; and the armed forces). Consequently, the initial law proposal had to be amended and watered down in order to secure its approval (Schneider 2011a). Its legal mandate was therefore shaped by the political pressure to ensure the law's ratification. To provide an example, condemnatory terms such as "political repression" were replaced with the more neutral "political conflict."

The state reduced both the material and temporal scope of the commission's powers of inquiry in the legal mandate (Brazil 2011, Law No. 12.528), which decreed that seven commissioners would have two years to investigate gross violations of human rights committed between 1946 and 1988, a period that extended beyond that of the dictatorship (1964-1985). It seems likely that the timeframe for investigation was deliberately widened to appease the military, but it meant that, from the outset, the focus of the commission was unclear. The extended timeframe also put a strain on the human resources (seven commissioners) required for a project of this scale. Most commissioners (five) were legal experts, but historians, investigative journalists and experts for the Armed Forces were conspicuously absent.<sup>5</sup> The designated period of two years (eventually extended by seven months) proved insufficient to allow for a thorough investigation of all the human rights violations committed in a country of continental proportions. However, the NTC overcame that limitation by declaring soon after the investigation was launched that it would focus solely on the dictatorship years. A further restriction lay in the fact that the NTC was not given any time to prepare for its work, and took about a year just to develop a modus operandi and set up a support team.<sup>6</sup> The initial lack of a permanent co-ordinator prevented the adoption of a consistent working strategy. The mandate specified tangible targets by prioritizing research into the crimes of torture, executions, forced disappearances, the concealment of remains and identifying the bodies of the disappeared as well as uncovering the institutions, locations and state representatives involved in those crimes. Neither civil society collaboration nor the private funding of repressive organs was included in this remit.

The mandate was imprecise in relation to key points. Once again, the strategy of omitting the most controversial issues served to ensure the law's

ratification by Congress. It was unclear, for example, whether it fell within the commission's remit to investigate crimes committed by opponents of the regime, and so the commissioners themselves took the decision. The commission declared that it would only investigate violations by state officials, but would not re-examine cases already dealt with by other bodies such as the Amnesty Commission.

The mandate not only limited the NTC's elaboration of a state-commissioned historical account, but also provided the legal tools to facilitate its research work: the two most important being a clause compelling public sector workers (civilians and military) to co-operate with the commission, and the Freedom of Information Act (LAI), passed on the same day as the NTC law. The LAI established that any documentation relating to human rights abuses must be declassified, and would later provide NTC commissioners with the legal framework to demand the handover of documents. As she inaugurated these laws, President Rousseff highlighted their joint contribution towards the "consolidation of Brazilian democracy."

Despite the legal provisions, one of the main problems faced by the NTC was that certain state actors refused to abide by these rules, yet another illustration of the divergence between state agents. While the institutions of the Armed Forces refused to comply with the law and provide evidence relating to the location of the bodies of the disappeared, the NTC—ultimately, a state organ itself—unsuccessfully tried to obtain that information from military officials. Although a discussion of the military's refusal to co-operate falls beyond the scope of this chapter, it can be said that the armed forces consistently failed to provide the missing pieces of information necessary to locate bodies and clarify the circumstances of death.<sup>8</sup> As the NTC coordinator Pedro Dallari repeatedly stated, the armed forces always formally responded to the NTC's requests, but the information provided was superficial and occasionally contradictory or false.<sup>9</sup>

# BEYOND STATE CONTROL: THE IMPACT OF CIVIL SOCIETY

From the outset, the NTC was subject to criticism by nonstate actors from within civil society, the media and, to a more limited extent, academia (Schneider 2013). Here, we focus on conceivably the most important actor: the varied and heterogeneous civil-society organizations. Those who did not reject the NTC from the beginning, as did the leading NGO *Tortura Nunca Mais* ("Torture Never Again"), for example responded by launching local commissions. Brazil thus pioneered a system of local truth commissions that is a new development in the history of truth commissions. <sup>10</sup> The dynamics between the local and the national commission were case-specific and developed over time. Many local commissions supported and provided information to the NTC and broadened the scope of its work, however, others challenged and contested its findings. <sup>11</sup> Many of the local commissions later formalized

their partnership with the NTC. Among the organizations that formed local commissions and actively engaged in gathering information about the dictatorship period were universities, municipal and regional government bodies, as well as trade unions. It is thus vital to acknowledge that the final report of the NTC—as a state-commissioned national history—is unique, for it emerged from a dialogue with the local truth commissions, many of them run by civilians. The Brazilian case of state-commissioned history writing is also peculiar because the National Truth Commission (a state organ at the federal level) was complemented and, to some extent, contested by local commissions at the regional or municipal state level.

A prime example of a dispute between the national commission and a local state-level commission involved the Vladimir Herzog municipal truth commission of São Paulo, which raised doubts about the circumstances of death of former president Juscelino Kubitschek. Commonly believed to be caused by a car accident, following a number of hearings and an analysis of evidence collected in 1996, the local commission reached the conclusion that Kubitschek was in fact murdered in a politically motivated crime. 12 The NTC final report rejected the findings of the local commission and argued that the homicide thesis lacked sufficient proof (Comissão Nacional da Verdade 2014, p. 75). 13 The conflict escalated and a judicial order was filed in 2014 that accused the national commission of abusing its power. Following the denial of its request by a federal court, the local commission criticized the NTC for upholding the narrative of JK's death as an accident, a story forged during the military period, and for "closing the debate on JK's death" (Gombata 2014). The incident illustrates certain things: first, that different state-level commissions (imbued with varying levels of state authority) fiercely disputed how the official history of the dictatorship ought to be told; and second, that although state-sponsored commissions may narrow the range of permissible lies (as Ignatieff 1996, p. 113 reminds us), they may also reinforce long-held myths.

# THE OUTCOME AND POSSIBLE IMPACT

The NTC produced a variety of immediate outputs including the final report; a well-documented webpage with hyperlinks to documents, video and audio recordings, and archival material gathered by the NTC, which will be integrated into the Brazilian National Archives. If outputs not commissioned by the state are also taken into consideration, a larger set includes the reports of local commissions, artistic and cultural events in response to the NTC and the media coverage of the truth commission. Here we focus our attention on the two most important state outputs: the collection and disclosure of archival material; and the final report with its recommendations.

The NTC generated archive material that includes documents pertaining to its own inner workings and to the recent history of the country, either

in the form of historical material retrieved during its research or in the form of video footage of public hearings. 15 This material is expected to be further scrutinized and should herald a renewed interest in the history of the dictatorship period. The head of the NTC's historical research team, Heloísa Starling, expects a paradigm shift in Brazilian historiography in the coming years, and reports that a large number of documents have been unearthed by the commission.16

The NTC's main output, however, is its 3383-page final report, which is divided into three volumes:

- The first volume is a collective text signed by all six commissioners. It includes a historical overview of the military period and an analysis of the crimes perpetrated by agents of the state. It reveals the military chain of command and is the first published source to link the crimes to highranking officials, including Brazilian presidents.
- The second volume presents findings that either derived from the commission's working groups or external experts. This collection of essays highlights new topics such as crimes against women, lesbian, gay, bisexual, and transgender (LGBT) persons or the indigenous and rural populations. No consensus was reached for these findings among the commissioners, hence their relegation to the second volume.
- The third volume offers a case-by-case analysis of crimes committed against political dissidents. It presents 434 cases and lists the names of 377 perpetrators. Both numbers are conservative estimates, and are expected to increase if further research is undertaken.

The privileged position given to those who were killed or disappeared for political reasons has long been the subject of public debate. Some critics have raised the question of whether the NTC has used too narrow a concept of victimhood and reinforced the notion that the victims consisted only of those 434 individuals. The Brazilian historian Carlos Fico has repeatedly pointed out that the NTC has focused mostly on high-profile cases, and thereby lost the opportunity to stress the wider impact of the dictatorship on the lives of ordinary citizens (Arakiki and Kmitta 2014; Martins 2014). The number of citizens tortured, raped or illegally imprisoned is not estimated in the report. On the other hand, it is praiseworthy that the NTC denounced violence against Brazil's indigenous populations during the dictatorship for the first time, even if the issue appears only in the report's second volume.

Overall, the NTC made 29 recommendations, many of which denounce the persistence of human rights violations (Comissão Nacional da Verdade 2014, p. 964). The recommendations are divided into three sections: institutional measures (17 recommendations), constitutional and legal reform (8 recommendations) and follow-up measures (4 recommendations).

Although the state has not yet addressed the report's key recommendations, it is currently responding to some of the less central ones. The "happy coincidence" of those recommendations that had already been partially addressed upon the release of the NTC's report should not, however, be interpreted as a sign of success. Rather, the report highlights actions that were already being carried out by the state. <sup>17</sup> No new action has ensued as a result of the report, hence its direct policy impact has been nonexistent.

The NTC's first recommendation is that the armed forces acknowledge their responsibility for the gross human rights violations between 1964 and 1985 (Comissão Nacional da Verdade 2014, p. 964). Commissioners have criticized the military's institutional silence on countless occasions. The NTC argued that without the armed forces officially acknowledging its past acts of violence, Brazil's reconciliation process would remain incomplete.

Next, the commission recommended the suspension of the blanket amnesty for crimes against humanity under the 1977 Amnesty Law (Comissão Nacional da Verdade 2014, p. 965). The illegality of that law had already been established by the IACHR, and it was to be expected that the NTC would reinforce this interpretation. What remains to be seen is whether this contentious policy will be upheld. The Brazilian Supreme Court intends to review the legality of the Amnesty Law in response to the IACHR's 2010 ruling against the country.

Nowhere is the emphasis on current human rights violations clearer than in the recommendations concerning public security, which include suggestions for reforms in the armed forces, law enforcement and the criminal justice system. They range from changes in internal regulations, recruitment (recommendation 5, p. 967) and military education (recommendation 6, p. 967) to the formal separation of certain services (such as the institute of forensic medicine [recommendation 10, p. 968] or the decoupling of military and state police [recommendation 20, p. 971]).

Finally, the commission recommended the creation of a body to oversee the implementation of the recommendations (Comissão Nacional da Verdade 2014, p. 973). This crucial follow-up step could make a permanent difference to whether the NTC recommendations are enforced by the state authorities.

## CONTENT AND FORM OF THE FINAL REPORT

Focusing on the report *itself* rather than its conditions of production, we now offer three preliminary statements relating to: the report's content (historical fact-finding), its impact on what is commonly labeled "collective memory," and its overall narrative form and style. In relation to its content, we agree with the assessment of most scholars and activists that the report offers little in terms of new information. Rather, it seems largely based on previous human rights accounts such as the 2007 report of the Special Commission. From a historian's perspective and with regard to the expectation that this

state-sponsored history project should contribute to historical fact-finding, the report can be said to make only a limited contribution to knowledge about the dictatorship. This, however, seems to have been due less to faults within the commission itself, but more a result of the military's refusal to cooperate. It should also be borne in mind that historical fact-finding might not have been the NTC's primary goal (Schneider 2013). Nonetheless, it is remarkable that the report makes hardly any reference to research conducted by professional historians. Starting in the 1990s and increasingly since the new millennium, the military dictatorship has been the subject of numerous historical studies. 18 The lack of references to academic historiography seems to suggest that the NTC did not study the subject matter (the conditions under which the report was written cannot be scrutinized here, but lack of time and human resources would seem a plausible explanation). For all these reasons we suspect that the report's impact on the historiography of the military regime will be limited.

Concerning collective memory, the report denounces a number of myths about the military dictatorship that have continued to prevail. It deconstructs the portrayal by the military institution of a "war" provoked by the Left and clearly argues that state-sponsored violence took place right from the outset of the military period. Crucially, the report refutes the military's claim that state violence was carried out without the knowledge of high-ranking officials. On the contrary, it confirms that human rights violations were part of a systematic policy by the Brazilian state (Comissão Nacional da Verdade 2014, pp. 962–963). If the report were to be read widely, it may have a significant impact; yet, as we argue in the remainder of the chapter, the dissemination and circulation of the report has thus far been modest.

Regarding the overall narrative form and style, critics may claim that the voluminous report is too long and, perhaps more important, that the use of legal jargon (at least in the first volume) makes it a challenging read that a wider audience could find intimidating. Probably due to a lack of editorial consensus, the final report does not contain an Executive Summary. This suggests that the report was not written with a mass audience in mind. Critics may argue that other truth commissions have shown greater commitment to releasing more accessible reports: the Argentine Comisión Nacional sobre la Desaparición de Personas (CONADEP) report became a bestseller when published in book format in 1984 (similar to the BNM report of 1985), the Sierra Leonean Commission (2004) developed a version for schools, and the 2015 Canadian Truth and Reconciliation Commission report offers a readerfriendly Executive Summary.

Many points of criticism (both positive and negative) have also been raised by national and international commentators. National media coverage was relatively extensive by Brazilian standards, and acknowledged the contribution of the NTC's work.<sup>19</sup> The most important daily newspapers reprinted the commission's key findings and recommendations, and the report's release

was even headline news. It received a mixed reception from victim groups, but on the whole their views were more positive than initially expected. Most praised the fact that the commission had completed its work and produced a report. In 2014, the NTC faced a major internal crisis leaving many observers to doubt that it would survive the two-year period, let alone produce a report. Most surviving victims welcomed the recommendations, the fact that the report named names and included the chain of command, and praised the official acknowledgment of systematic state violence. However, many disagreed with the conservative estimates of the numbers of victims and perpetrators, complaining that names of proven torturers had been omitted from the report, and found it too conservative overall. Some victim organizations such as Torture Never Again openly expressed their disappointment.

The international human rights community praised Brazil's efforts and the NTC's report. A member of the IACHR, José Henríquez, hailed it as "a fundamental step to reach truth regarding human rights violations in the recent past" (IACHR 2015). The UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein commended the commission's report, but pointed out that perpetrators of crimes against humanity cannot be protected by amnesty laws, an allusion to Brazil's lack of response to the 2010 condemnation by the IACHR.

To hypothesize about the report's impact is very challenging because it is not an exact science. As many scholars have argued (Olsen, Payne and Reiter 2010; Wiebelhaus-Brahm 2010), we lack quantitative or qualitative methods with which to measure the impact of truth commissions, and the few studies available on this topic are inconclusive.<sup>20</sup> However, two of the most reliable indicators of a commission's impact are to what extent its recommendations have been implemented, and whether it has generated (or even shifted the focus of) public debate.

To their credit, the commissioners were sufficiently independent to criticize the Brazilian state for its systematic involvement in human rights violations. The problem was not so much the content of the final report (the aforementioned criticisms notwithstanding), but rather, the report's limited circulation and the state's complete failure to respond to the recommendations, let alone comply with them, yet another means of exerting state control.

Empirical evidence from Brazil seems to suggest that the question of what may be called "discursive formation" (Foucault 2002)—the power entailed in whether to disseminate a narrative or silence it, and of whether recommendations are carried out—is central when analyzing the impact and relevance of state-sponsored history initiatives. It was in this respect that the Brazilian government most visibly displayed its power by completely ignoring the report, failing to issue any kind of public response to it or to enforce its recommendations. It also did nothing to ensure that this state-commissioned and partly revisionary national history reached a wide audience.<sup>21</sup>

With regard to the report's lack of circulation, however, we have to distinguish between two levels of responsibility. First, although the NTC has fulfilled its duty in making the report freely available online, the text is not being actively promoted and distributed in the form of a public awareness campaign. Second, circulation depends on the existence of an interested audience providing a demand for the product. The majority of Brazilians appear to have little interest in human rights violations and efforts to raise public awareness of this topic have been very limited.

At this point, civilians have intervened in the debate by organizing public events and inviting former NTC staff to give talks explaining the content of the archival material sent to the National Archives. Human rights activists (including both state officials and civilians) are currently developing ways to encourage wider discussion of the report and promote its content, particularly within educational and academic institutions.<sup>23</sup>

#### Conclusion

What, to conclude, does the Brazilian National Truth Commission reveal about processes and outcomes of state-commissioned history in the particular form of a truth commission? Empirical evidence from Brazil challenges a series of assumptions about state-commissioned history and raises new questions: first, is the primary purpose of a truth commission report to try to establish a new national history, or to officially acknowledge formerly silenced public crimes, and to what extent is a TC merely a cosmetic fix? In order to answer this question, it seems that the importance of circulating the findings cannot be underestimated, and ought to be included in any analysis of state-commissioned history projects as well as the question of the state censoring and shaping content. Second, is a truth commission authoritative or can its recommendations be completely ignored, as in the case of Brazil (at least as of April 2016, the time of writing)? Again, this shows that the "state" is composed of officials with varying political views; whereas some ideas and practices are supported and developed within the state apparatus, others are ultimately barred. Conceptually, the Brazilian case has helped to provide a more nuanced understanding of state-commissioned history projects. Although the NTC has been shaped and limited by various mechanisms of state control (legal mandate, refusal to grant access to military sources) since its inception, the commissioners have succeeded in circumventing certain constraints and the commission has, over time, been able to navigate its way around the obstacles placed in its path. Importantly, the NTC and its report resulted from a complex and dynamic process of negotiation between state officials with divergent views and the local commissions, both of which also had to respond to demands from civil society.

This chapter has argued that a more differentiated understanding of the state is crucial, as specific state representatives (e.g., the armed forces) refused

to abide by the law. During the ratification process the law proposal was diluted, because sectors of the military disagreed with its content and the proposal had to be approved by Congress. The commissioners themselves disagreed over the appropriate strategy to pursue, and hence negotiated with other state institutions, most important, the armed forces. Upon the publication of its final report, the NTC argued that without the armed forces officially acknowledging its past acts of violence, Brazil's reconciliation process would remain incomplete. The municipal truth commission of São Paulo launched a federal lawsuit against the NTC disputing the commonly accepted historical version of JK's death. All these examples show that the state (and hence state-commissioned history) is a complex and multiform entity and remains an abstract category that requires both empirical and theoretical scrutiny. Finally, the Brazilian case shows that the processes and outcomes of state-commissioned history can be significantly shaped by non-state actors. Whether the report will have a long-term impact on Brazilian "national" history writing or collective memory will largely depend on civil society: on its social movements, educational professionals, intellectuals, and artists.

# Notes

- 1. The Brazilian case confirms the findings of previous studies, notably, Elizabeth Jelin's work on Argentina (2007) and Steve Stern's study on Chile (2006) that likewise highlighted the dynamic and contingent nature of justice-seeking processes.
- 2. The term "collective memory", introduced by Maurice Halbwachs, emphasizes the collectively forged, mediated memory of a society. For a thorough debate, see Assmann (2006, pp. 29–36).
- 3. The reasons for this shift are complex: see Mezarobba (2007), Schneider (2011b, 2014), SEDH (2007).
- 4. The documentation has meanwhile been published online and is available at: http://bnmdigital.mpf.mp.br/. Accessed 4 February 2016. An English version was published as Archdiocese of São Paulo. 1998. *Torture in Brazil*. Austin: University of Texas.
- 5. Rousseff appointed the following respected members of society to the commission: Rosa Maria Cardoso, José Paulo Cavalcanti, José Carlos Dias, Gilson Dipp, Claudio Fonteles, Maria Rita Kehl and Paulo Sérgio Pinheiro. In May 2013, after being on medical leave for over seven months, Dipp left the NTC and was never replaced. In June 2013 Fonteles quit over internal conflicts regarding the commission's methodology: the group disagreed over whether to present only its findings in the final report or to expose the process as a whole, including public hearings and civil society participation. Fonteles was replaced in September by Pedro Dallari (who was pivotal as coordinator of the NTC towards the end of the mandate).
- 6. By the end of the first year, the commissioners were responsible for overseeing the work of about 70 researchers and 14 consultants, who were organized in thematic working groups (ISER 2013, pp. 35 and 96).
- 7. Rousseff at the ceremony announcing the NTC, Brasilia, 18 November 2011.

- 8. For more information on the relation between the commissioners and the armed forces, see Mezarobba (2015) and Figueiredo (2015).
- 9. Official speech by Dallari at the Brazilian Bar Association (OAB) on 10 December 2014.
- 10. In a complex development that has yet to be studied in depth, local truth commissions quickly spread throughout the country. At the time the NTC report was drafted, there were over 100 such commissions (Comissão Nacional da Verdade 2014, p. 23). These local processes have followed their own timeline, continuing or even starting their work long after the delivery of the NTC report.
- 11. Twenty-nine local commissions signed co-operation agreements with the NTC (Comissão Nacional da Verdade 2014, p. 10).
- 12. The evidence consisted of metallic material in the cranial area of the coffin of the former president's driver. The local commission maintains it could be the remnants of a bullet, while the NTC maintains that it came from the nails in the coffin.
- 13. See also: CNV online (2015).
- 14. See Rebecca Atencio's, "Beyond Official Truth-Telling: Bernardo Kucinski's Fiction and Its Real-World Synergies with the National and Local Truth Commissions in Brazil," presented at the symposium The Brazilian National Truth Commission in the Context of Latin America: Local, National, and Global Perspectives by the Volkswagen Foundation held in Hannover, Germany, October 15–17, 2015. Available at: https://brtruthcommission.wordpress.com. Accessed 10 November 2015.
- 15. Documents include exchanges with the armed forces and other truth-seeking bodies such as the Amnesty Commission, publications in the Official Federal Gazette (Diário Oficial da União), communications sent by civilians to the NTC, and more mundane items such as employment contracts and other documents relating to staff and their responsibilities. Also forming part of the NTC documental footprint are the websites created for the communication of its activities (most importantly, the Web portal www.cnv.gov.br) and twoway communication with the public, such as the commission's Facebook page. PhD candidate Ana Migowski (University of Giessen, Germany) is currently developing a study on the NTC's use of social media.
- 16. Interview with H. Starling on December 4, 2014 by Gisele Iecker de Almeida. The archival fund amassed by the NTC is expected to be integrated into the Brazilian National Archives, which received the first set of 47,000 items in July
- 17. Some examples of recommendations already partially or fully addressed by the state before the NTC report was published include the prohibition of official celebrations of the 1964 coup (a ruling made by Rousseff in early 2014); the inclusion of human rights both in the national curriculum (recommendation 16, p. 970) and in the military academy (recommendation 6, p. 967), and the call for the creation of a museum and other sites of memory (recommendation 28, p. 974). Anthony Pereira presented a paper entitled "The Truth Commission and Institutional Reform" on this topic in the aforementioned symposium organized by the Volkswagen Foundation. Available at: https://brtruthcommission.wordpress.com. Accessed 10 November 2015.

- 18. For recent historiographical overviews see: Araujo (2015), and Ridenti (2016).
- 19. By contrast, media coverage of the first accountability measure, the 1995 Law of the Disappeared, was minimal. See Schneider (2014, pp. 69–71).
- 20. Currently, Leigh Payne and Kathryn Sikkink (and team) are producing a joint database and will shortly be publishing new quantitative findings on the effects of truth commissions.
- 21. A narrative that explicitly assumes state responsibility for systematic violence up to and including the president's office and that includes the perspectives of victim groups such as the indigenous or rural populations can be considered, at least in part, a revision of the official narrative.
- 22. Interviews with NTC staff conducted between 2014 and 2015 by Nina Schneider have shown that many officials favored educational follow-up projects, but lacked financial and operational support.
- 23. For example, Carolina de Campos Melo, former leading NTC assistant and law professor, has been systematically discussing the report with her students. She commented on her work at the international symposium by the Volkswagen Foundation where she presented a paper entitled "The Writing up of the Final Report: Conclusions and Recommendations." Available at: https://brtruthcommission.wordpress.com. Accessed 10 November 2015.

Acknowledgements Nina Schneider wishes to express her special thanks to the funding bodies that kindly supported this piece of research: the German Research Foundation (DFG–SCHN 1438/1-1 D), the Global South Study Center (GSSC) at the University of Cologne, and the EU FP7 Marie Curie Zukunftskolleg Fellowship Program, University of Konstanz (Grant no. 291,784). Gisele Iecker de Almeida thanks the Brazilian National Council for the Improvement of Higher Education (CAPES) for the financial support (BEX n. 1772-13-9).

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