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## SILENCED AND UNSILENCED MEMORIES

Archival fonds of Brazil's political police, 1964–1985

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### Introduction

The present chapter aims at identifying the destination of the archives of the political police amassed during the civil–military dictatorship in Brazil and the use of these archives in rights reparation and in the identification of crimes committed over that period. First, we aim at understanding the phenomenon of the Brazilian dictatorship from 1964 to 1985 in the context of Latin America; once such historical framework is outlined, we aim at the archives of the political police transferred to archival institutions and suggesting the destination of those whose custody was not identified.

Over the second half of the twentieth century, Latin America faced not only dictatorships but also the so-called ‘Truth Commissions’ or ‘National Commissions on the Disappearance of Persons’. As proven records of actions, the archive documents are of paramount importance to such commissions. To a certain extent, they encompass broader contexts and support the use of ‘dictatorship archives’ in rights reparation and liability. When it comes to a broader perspective on this debate, Charles Kecskeméti points out three periods: (1) the 1940s, at the end of World War II, when access to Nazi-Fascist archives revealed appalling violations and crimes that were adjudicated by criminal courts and that led to ethical norms for human rights; (2) the 1970s – with the rise of a new round of debates on the opening of archives of repressive institutions, mainly in Spain, Portugal and Greece at the end of dictatorships. Such historic moments are known for the importance given to access to information laws and legislative regulation of the field; (3) the 1990s – with the fall of communist governments in Eastern Europe, which was followed by a number of actions to promote access to documents from the archives of political police of those countries as well as the rise of human rights campaigns aimed at reparation of political persecution.<sup>1</sup>

As one may note, the chronology proposed by Kecskeméti is significantly framed by the events of European history, but it also has links to Latin America, leaving room for both parallelisms and counterarguments. In Brazil, a dictatorship period ended in 1945, followed by amnesty. However, unlike the European experience, it did not include rights reparations and was based mostly on the notions of conciliation and pacification.<sup>2</sup> The second period holds some similarities. Despite the end of the military dictatorship occurring officially only in 1985 with the election of a new civilian president, the transition of the regime had begun in 1979, with the promulgation of a political amnesty law. It was in this period when an organised movement in defence of human rights arose alongside access to the documents from the archives of the repressive institutions of the dictatorship. From the 1990s, Brazil like several other countries in Latin America, benefitted from the end of the Cold War. The new global context after the collapse of communism left room for intense transference of archives from the military period as well as for fostering public access to them.

In order to understand such contexts, it is vital to provide an overview of Latin America during the implementation of the last and long-lasting Brazilian dictatorial government.

### ***Brazilian dictatorship in the Latin American context***

From 1964 to 1985, there were several military coups in a number of countries in Latin America on a par with that in Brazil. Indeed, this period encompasses just a short chronological period in a broader context of intense political instability in the region. As calculated by Lehoucq e Pérez-Liñán, 'Between 1900 and 2006, there were 162 coups d'état in Latin America, which took place in 139 country years'. According to scholars, the most common definition for such 'coups' is a 'successful attempt to overthrow the president executed by the armed forces', which might also encompass the involvement of civil society. Furthermore, such a definition might comprise either 'auto-coups', in which the president asks for army intervention, or coups that occur while another coup is already in place, such as when institutional rules are broken by the government that has been implemented after a military intervention, such as occurred in Brazil in 1969.<sup>3</sup>

Table 5.1 shows a sample of civil–military coups that occurred in several other Latin American countries during the Brazilian military dictatorship of 1964–1985. It is just a sample and it is worth noting that a number of additional military coups occurred over the continent in previous and subsequent periods. The first aspect to be noted in the table is the variation in the intensity of such coups. There are countries such as Bolivia in which breaking institutional order seems to be the norm. On the other hand, there are countries such as Chile, where there is one single intervention that lasts for several years; in addition, there are intermediate cases, such as Brazil, Argentina and Peru.

However, how could one explain such diversity? In a certain way, the data reveal the existence of phenomena that pervade those countries as well as specific traits

**TABLE 5.1** Military coups in Latin America, 1964–1985, by country and year

<i>Countries</i>	<i>Coups</i>
Argentina	1966, 1971, 1976
Bolivia	1964, 1969, 1970, 1971, 1978, 1979, 1980, 1981, 1982
Brazil	1964, 1969
Chile	1973
El Salvador	1979
Ecuador	1972
Guatemala	1982, 1983
Honduras	1972, 1975, 1978, 1980
Panama	1968, 1982, 1984
Paraguay	1989
Peru	1968, 1975
Dominican Republic	1963, 1965
Uruguay	1973

*Source:* Lehoucq and Pérez-Liñán, 'Breaking Out of the Coup Trap,' 1105–1129.

in each of them. A common pattern revealed by seminal works is the proliferation of coups d'état that occurred in Latin America as well as worldwide. According to literature, from the end of World War II to the late twentieth century, the highest number of interventions occurred worldwide between 1965 and 1969, which was also a period of political instability in Latin America. Such generalised instability stemmed from the Cold War alongside the subsequent polarisation that divided the world into either communist or capitalist countries. From such a bipolar perspective, any movement in favour of autonomy was viewed warily as it was seen as a search for independence from the sphere that the country belonged to. Therefore, Latin America, capitalist countries aligned with the United States, was an arena where the American government fought against communist movements or revolutions as well as against democratic political movements, which they regarded as suspicious due to their nationalist nature. This was the experience of Brazil.<sup>4</sup>

When it comes to the chronological diversity of coups, the specificities of each country are also quite revealing. One of such specificities is the different forms of organisation of the military and the presence or absence of consolidated military leaders. In such a matter, it is worth comparing Bolivia and Chile. Whereas the former experienced a series of subsequent interventions resulting from weak and questionable military leaders, the latter was governed by Pinochet from 1974 to 1990 without opposition from within the military ranks. These contrasts could stem from different types of organisation of military education, just one example of causal correlation. The different chronologies might also suggest the presence of deeper influencing factors, such as different levels of economic development. However, one may note the warning of experts that direct correlation between economic development and the implementation of dictatorships may not be the norm in all circumstances:

Data since the mid-1960s are still generally consistent with such findings, with less 'developed' countries such as Bolivia, Haiti, and Honduras most prone to coups, for example ... although long periods of military rule in countries such as the more 'developed' Brazil (1964), Chile (1973), and Uruguay (1973) tend to call into question such an association, and, above all, its significance.<sup>5</sup>

Another important perspective in terms of differing Latin American historical experiences is the specific political contexts.<sup>6</sup> Besides the dictatorial civil-military government of 1964-1985, Brazil experienced a previous dictatorship from 1937 to 1945. Although the latter had been heavily supported by part of the army, it was led by civilians and its dictator, Getúlio Vargas, had his political roots in the oligarchies of the State of Rio Grande do Sul. By contrast, in Argentina, military dictatorships occurred much earlier than the three of 1966-1976, namely, in 1930, 1943 and 1955.

Such military interventions, as previously mentioned, go hand in hand with the extreme polarisation of the Cold War, which intensified from 1959 on with the revolution in Cuba and its subsequent Soviet alignment. On the other hand, there are specific political factors inherent to each country that must be taken into account. When it comes to Brazil, various crises occurred over the years prior to 1964. In the Brazilian political system of the time, president and vice-president were elected independently; thus the resignation of a right-wing president in 1961 left room for the nationalist left-wing vice-president João Goulart to take power. In that year, 1961, the army was inclined to orchestrate a coup d'état. It was not a mere attempt – it had already been tried in 1954 – but it was controlled by the nationalist group in the Brazilian army. Nevertheless, the crisis occurring in 1961 was partially resolved by means of a governmental shift to parliamentarianism, which would significantly restrict the power held by the new president. In order to be institutionalised, the new parliament relied on a referendum, which Brazilian voters rejected in 1963, thus allowing Goulart to take over in a presidential regime.<sup>7</sup> This situation led to a new political crisis that ended up in a civil-military coup on 1 April 1964.<sup>8</sup>

In the military coup of 1964, the members of the Brazilian army did not act alone. This intervention was also supported by rural landlords, who were concerned about the implementation of agrarian reform. In addition to this segment of society, conservative groups from the Catholic Church and the middle class were also actively engaged in the movement, as they feared the 'Communist Threat' disseminated by the press. In fact, this coup favoured the business sector, which advocated for economic development of the country with international capital and, at the same time, expected commensal support from the army in the repression of labour unions in order to constrain their push for higher wages.

Due to its long-lasting nature, the Brazilian military dictatorship should be viewed in different stages. Prior to 1967, some institutional guarantees had been maintained, the National Congress had its autonomy and an opposition party was authorised: 'Movimento Democrático Brasileiro' (MDB). Conversely, the second phase of the dictatorship starts in 1968, with a subsequent suppression of elections: first, presidential, and then gubernatorial and even mayoral races in the state capitals. This situation enhanced extremist political actions with a proliferation of urban

warfare against the dictatorship. In turn, the army adopted extremist actions, promulgating the Institutional Act Number 5, which allowed the National Congress to be closed and suppressed virtually all individual legal rights of habeas corpus.<sup>9</sup>

As shown in Table 5.1, such inclination for suppression of rights and political constraint in Brazil led to a new military coup in 1969. In that year, president General Costa e Silva died before completing his five-year term. The vice-president was Pedro Aleixo, a conservative politician, but a civilian. The death of Costa e Silva, who had been elected by an electoral college composed of military staff, had left room for a civilian to take office. Nevertheless, it did not happen, and a coup occurred in the midst of the political regime, which had resulted from the previous coup. Thus, the vice-president did not take over and a junta comprising three generals assumed power until another, General Emílio Garrastazu Médici, took office.

In the first three years after the coup in 1964, it is worth noting that the repressive actions were mainly aimed at nationalist and moderate political segments. Several senators and congressmen had their mandates abolished and, in the same vein, congressmen from state legislative assemblies, city councillors, as well as trade union leaders and civilian and military public servants faced similar repression. In 1968 and in the following years, guerrilla warfare groups became the new target of the dictatorship while repression spread further to members of the press, intellectuals, and even members of the Catholic Church, who had initially supported the military coup.

Such a wide array of persecution resulted in an increase in the violation of human rights, ranging from torture or murder committed by state agents to dismissal or compulsory retirement of public servants. Such violations of rights and the attribution of responsibility to those involved in the end would be identified in the archival collections by the political amnesty movement.

### ***Rights reparation policy and archives***

The coup in 1964 led to a wave of political persecution and, as a consequence, it also left room for resistance movements and defence of democracy. No sooner had the novel political regime been implemented than there were opposing movements that involved the army. Furthermore, in the same year, there were rumours of political amnesty that were later denied. A note was published denying the amnesty in a journal in the city of Rio de Janeiro:

General Costa e Silva denied yesterday that there was any action on the part of the Government intended to grant full or partial amnesty to those arrested in the movement on April 1st. The statement by the Minister of War was made yesterday afternoon, in Laranjeiras, soon after his meeting with the president [General Castelo Branco].<sup>10</sup>

In the first phase of the Brazilian civil-military coup, the official discourse referred to a short-term political intervention. However, by 1968 it was blatantly obvious

that the intervention had no end date. International mobilisations against the dictatorship date back to that time and the coup led to a stronger bond between opposition political leaders from Brazil and the United States.<sup>11</sup> In spite of such effort, the fight for amnesty [for victims of the regime] was long and would not come without difficulty. The amnesty movement gained strength in 1974 because of the favourable outcome of the legislative elections. Nevertheless, the dictatorship endured and there were moments in which president General Ernesto Geisel stated that under no circumstances was there any room left for political amnesty.<sup>12</sup>

Notwithstanding such clear language, Brazilian society responded. The cause for amnesty would gradually win over an increasing number of opposition politicians, trade union leaders, student movement activists and members of the Brazilian Bar Association, as well as of the Brazilian Press Association. The first formal pro-amnesty association, 'Women's Movement for Amnesty' was founded in 1975. In the three years that followed, several Brazilian 'Committees for Amnesty' were created within a number of Brazilian states and abroad. Moreover, the 'First National Conference for Amnesty' was held in 1975 and it encompassed different Brazilian social movements in favour of 'ample, general and unrestrained amnesty' (for those considered enemies of the regime). By 1979, the campaign was widely supported by the public, even among moderate military sectors. When it reached a level of pressure that the dictatorial government was not able to handle, president General João Batista Figueiredo sent a bill to the Brazilian National Congress. As the bill did not grant amnesty to participants in guerrilla warfare, offenders of 'bloody crimes', it did not live up to the expectations of the opposition; whereas on the other hand, as written, State agents involved in torture and murder would be granted amnesty.<sup>13</sup>

After hot debates and disputes in Congress, the basic form of the Amnesty Law remained; however, the following article was added:

The civilian and military public servants who have been dismissed, had their positions eliminated, been retired, been transferred to reserve, or been reformed are to be returned to work within 120 days after promulgation of this law.<sup>14</sup>

This article made way for the first rights reparation; however, evidence proven in court was required, leading to a search for archival documents.

Immediately after the promulgation of the amnesty law, a number of lawsuits were filed to free individuals who had been arrested for participation in guerrilla warfare. While some were granted a pardon from President General João Figueiredo, others had their lawsuits heard by military courts.<sup>15</sup> Meanwhile, the Brasil: Nunca Mais Project (Brazil: Never Again) began amassing documents to block the unfair amnesty of torturers. This project is defined as follows:

Brazil has one of the best archives of authoritarian political trials in the world. During the early 1980s, the Catholic Church's Archdiocese of São Paulo assembled a secret team of lawyers and researchers that checked out and

photocopied 707 cases, involving over 7367 defendants, from the Superior Military Court. [...]

The Archdiocese's archive, entitled *Brasil: Nunca Mais* (Brazil: Never Again) contains over a million pages of documentation on how Brazil's military regime monitored, investigated, arrested, tortured, incarcerated, and prosecuted alleged terrorists, 'subversives,' opponents, and dissidents. For very few other twentieth-century authoritarian regimes do comparable archives exist, and there is certainly no equivalent to *Brasil: Nunca Mais* in the rest of Latin America.<sup>16</sup>

Although this quotation refers to 'archives', the documents were copies assembled illegally, and removed from their original contexts. Thus, their use as evidence against State agents who had violated human rights was compromised, while they effectively shed light on the barbaric acts perpetrated against Brazilian citizens who opposed the dictatorial regime.

In effect, the *Brasil: Nunca Mais* Project led to a growing pressure to open the archives. The new Constitution approved in 1988 was a substantial step towards that aim. Indeed, it reaffirmed the previous legislation, granting amnesty to all individuals 'affected by exclusively political motivations'. Furthermore, the new Constitution provided the writ of habeas data, which provided citizens with full access to public documents about themselves.<sup>17</sup> After the promulgation of the Constitution, parliamentary commissions were formed to foster storage in archival institutions, of the documents from the political police which had been made defunct by the new legal institution.<sup>18</sup> Initially, this procedure did not occur without resistance. One may note that a law of 1978 regarded the National Archives as an archival authority but only having authority over semi-current records and the historical archives of Brazilian public administration. In 1991, new legislation extended the authority to the current records, enabling the main Brazilian archival institution to evaluate records that remained in administrative sectors of the political police departments. In the same vein, control was given to state and municipal archives under the aegis of the National Archives.<sup>19</sup>

Throughout the 1990s, citizens who had been persecuted or murdered, relatives of such murdered individuals, and members of organised civil movements demanded investigation and compensation be given to these political prisoners or their surviving families. Nevertheless, the recognition of the crimes committed during the dictatorship did not occur in the short term. The political transition that was negotiated and, to a greater extent, controlled by segments that encompassed the military government posed constraints to reparation of human rights violations for a period. However, Brazil's first president to have been persecuted during the dictatorship took office in 1995. Fernando Henrique Cardoso had been exiled in 1964 and when he returned to Brazil, had his position as a sociology professor at Universidade Federal de São Paulo (Federal University of São Paulo) withdrawn in 1968. His election opened the political possibility for the reparations of rights of citizens who had been politically persecuted. During his first year in office, the *Lei dos Desaparecidos* (Missing Persons

Act) was passed, implementing a special commission in charge of identifying missing individuals who had not yet been listed in lawsuits. The commission was also charged with accelerating investigative procedures to locate the remains of victims of the dictatorial regime and assuring the issuance of death certificates for relatives of the missing so that they could seek compensation.<sup>20</sup>

In 2001, a constitutional amendment finally regulated the right to compensation of citizens persecuted during the dictatorship and 5895 requests for compensation were registered by the Department for Constitutional Affairs (Ministry of Justice).<sup>21</sup> In 2002, the law establishing the *Comissão de Anistia* (Amnesty Commission) provided amnesty to individuals persecuted during the dictatorship as well as before and after. The individuals entitled to receive compensation were as follows: those affected by institutional acts; those who had gratifications deducted from their salaries as State agents; those dismissed from public service without just cause; those prevented from practising certain professions; students who had received disciplinary measures without justification; those punished with loss of retirement; those prevented from taking office in the public sector; and even those who were 'compelled to take office without salary' despite having been duly elected to office.<sup>22</sup>

In addition, the text of the law of 2002 states that the Amnesty Commission should 'foster due diligence, gather information and documents, hear witnesses, and issue technical opinions in order to instruct lawsuits'. The documents mentioned are archival in nature, consisting of direct evidence, and are therefore considered valid by the Brazilian Court. In this first phase, the records of the political police at the state level are the main sources consulted. Since the 1920s, public security sectors have been created in Brazil. Therefore, the records date back to the period of the so-called 'oligarchic governments'. The archives had remained active over the democratic periods and were expanded during the dictatorship implemented in 1964.<sup>23</sup>

In general, the political police departments were called 'Political and Social Order Police Stations' known by the acronym DOPS or DEOPS. These police stations produced documents with varied typologies of documented activities for prevention, control and repression of opponents of the regime. Examples of such documents are inquiries, police investigation reports, incident reports and diligence records, testimonies of inmates and witnesses, as well as letters and documents exchanged between the repressive departments of the Brazilian states and the federal government.<sup>24</sup> With regard to the states of São Paulo, Espírito Santo and Pernambuco, the documents were collected from their respective police stations and transferred to archival institutions in 1991; this occurred in Rio de Janeiro and Maranhão in 1992, and in Minas Gerais and Paraná in 1998. The other transferences occurred more recently, such as in the case of Ceará and Goiás, in 2005; or of Paraíba, where lack of public archives resulted in the DOPS fond custody being assumed by a documentation centre at a federal university in 2006. Transferences have also been mediated by universities that did not have the administrative infrastructure to handle the documents and provide access to them, as it happened in the State of Alagoas in 2010, as this service is provided only when the documents are transferred to public archives.<sup>25</sup>

One may note that there was a long gap between amnesty and the effective availability of access to documents from repressive departments in Brazil, be it due to late institutionalisation of habeas data, ten years after amnesty, or due to the lack of depositing the documents for treatment in public archives. The long period without definite archival destinations as well as treatment of the fonds of the departments of State political police constrained the process of rights reparation and posed a risk of destruction to the documents, either intentionally or due to poor conservation. In the states of Bahia and Minas Gerais, for instance, there have been reports of destruction of such collections, but a remainder of the cache has been saved because it was preserved on microfilms that have been recovered.<sup>26</sup>

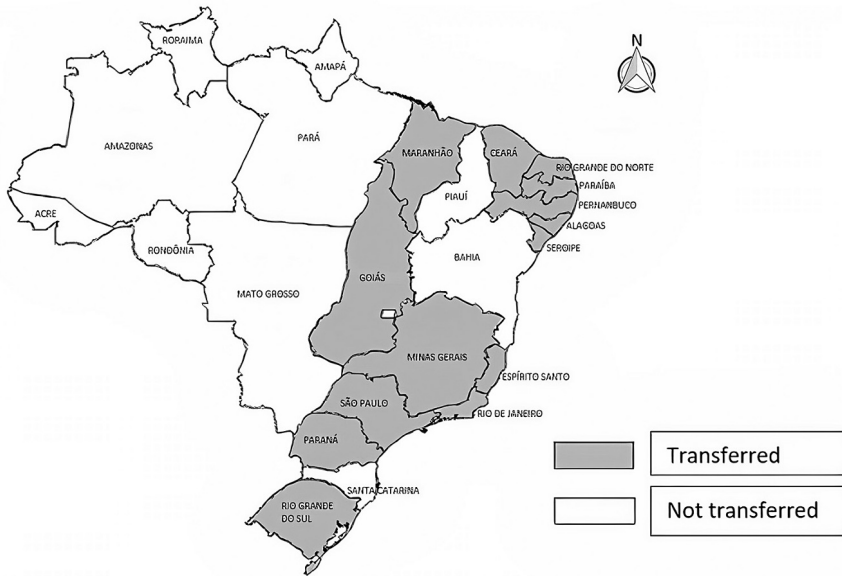
Figure 5.1 presents a means of estimating losses. In the grey states on the map (Alagoas, Ceará, Espírito Santo, Goiás, Maranhão, Minas Gerais, Paraíba, Paraná, Pernambuco, Rio Grande do Norte, Rio Grande do Sul, Rio de Janeiro, São Paulo, and Sergipe) public archives or academic documentation centres have transferred the documents from the DOPS. In turn, the states in white (Acre, Amapá, Amazonas, Bahia, Mato Grosso, Pará, Piauí, Rondônia, Roraima, and Santa Catarina) have not been able to preserve the archival fonds.

To a certain extent, Figure 5.1 reveals different factors of the preservation of state records. The highly industrialised areas with significant urbanisation, namely São Paulo, Rio de Janeiro, Minas Gerais, Paraná, and Rio Grande do Sul preserved their DOPS archives. There was considerable mobilisation from society in such areas, compelling state legislative assemblies to enact laws and decrees enabling preservation.<sup>27</sup> Of equal merit is Northeastern Brazil, where similar movements occurred. It is an area with a strong tradition of political confrontation in farmlands that favoured agrarian reform. By contrast, when it comes to preserving these archives, the areas inhabited principally by indigenous people or by individuals relying on extractive activities did not meet with success, such as in the case of Amazonas and Pará in Northern Brazil (Figure 5.1).

As one may have already noted, the political rights reparation in Brazil is complex and ambiguous at times. Studies on other countries may show contexts showing a lack or a complete destruction of documents attesting human rights violation; for example:

[In Chile], unlike what happened in other Latin American countries the archives were, therefore, collected by opponents of the dictatorship and by its victims [...], for example, the archives of DINA [(National Intelligence Management)] or the CNI [Central Nacional de Inteligência (National Intelligence Center)] either do not exist or remain unavailable to the public.<sup>28</sup>

Thus, in that country, although there were kidnappings, torture and murder, there is poor archival record of such practices so that rights reparation would have to rely on 'alternative documentation' such as testimonies and personal memories to prove the atrocities committed.<sup>29</sup> Similarly, in Argentina, few archives of political police



**FIGURE 5.1** States where Public Archives and Academic Documentation Centers transferred Political Police (DOPS) fonds. Source: Brasil, ‘Memórias Reveladas,’ last modified 1 January 2020, [www.memoriasreveladas.gov.br/](http://www.memoriasreveladas.gov.br/)

have been found and made available to the public, in spite of the strong declarations of the government against silence and secrecy. The National Argentinian Memory Archive was founded in 2003 and it ‘expresses a clear political intention of “institutionalizing” memories of repression of the Argentinian State’.<sup>30</sup> In Brazil, however, there is extensive documentation from regional as well as federal departments of political police, as we will further explain in the next section.

### ***Truth commissions and archives***

Rights reparation seems to be just one aspect of transitional justice that pervades post-dictatorial periods. Another aspect may be the identification and punishment of public agents who committed crimes, torturing or murdering citizens under State custody. In order to approach this issue, we draw on documentation from federal political police departments associated with the ‘National System of Information and Counter Information – SINI’, whose operational department was the ‘National Information Service – SNI’, which was implemented in all sectors of federal public administration, be it the ministries and their supplementary departments or the public foundations, autarchies and mixed-capital companies, assuming different roles such as information assistances.<sup>31</sup>

These archives are available at ‘Memórias Reveladas – Centro de Referência das Lutas Políticas no Brasil (1964–1985)’ website (Unveiled Memories – Reference

Center for Political Confrontation in Brazil (1964–1985)), a platform designed in 2005 that foresaw the creation of institutions to preserve ‘information, documents, archives, [and] artistic objects with symbolic value about the violation of Human Rights during the military dictatorship in Brazil’.<sup>32</sup>

The impactful initiative of the centre received such acclaim nationwide that it was named as an official Memory of the World by UNESCO.<sup>33</sup> Since the first decree that implemented the Unveiled Memories Project, there have been great expectations placed on the key role played by the National Archives, creating links, and integrating public and private institutions at municipal, state and national levels:

The management of the Unveiled Memories Reference Center was assigned to the National Archives, requiring, for the first time, cooperation between the Union, states, and the Federal District for online integration of archives and public and private institutions, remaining in permanent contact in order to enable the transference of documents of the political police and to foster conditions for their custody, preservation and [public] access.<sup>34</sup>

In 2009, the Presidency of the Republic Civil Affairs Ministry expanded the scope of the proposal through a decree, proposing not only custody and treatment of archival records of repressive institutions, but also their reformatting through scanning.<sup>35</sup> The very same decree proposed legislative changes, aiding the subsequent approval of Brazil’s 2011 Access to Information Law.<sup>36</sup> That act removed the constraints on access of scholars to most of the documents from DOPS. A number of archives had limited access to documents containing personal information to protect privacy. Such constraints on access were the subject of hot debates among academics in Brazil in the 1990s and 2000s. As James Green summarised the issue:

How could we work on personal data that are in the millions of documents within the archives of repression? Until today, each state has a distinct interpretation of the law that regulates access to the archives from the political police. Some states provide any person interested in it with open access to the archives of repression, on the condition of signing the terms of use of information from the documents. The file administrators are in charge of registering who consulted the material and when it happened, as well as preserving the documents. Other states interpret the laws on access to information in a different way. The directors of such archives limit the researcher to generic documents from a certain organisation considered subversive, granting no access to any material about an individual without their permission or, if deceased, requiring consent from their closest relative.<sup>37</sup>

The Access to Information Law brought about significant change to this scenario. The norm stated that ‘information from documents on actions resulting in the

violation of human rights committed by State agents or ordered by public authorities may not be subject to restriction of access'. The law also assured, for the first time:

Restriction of access to information on the private life, or honor and image of a person cannot be invoked with the aim of affecting processes of investigation of irregularities in which the information owner might be involved, as well as actions aimed at recovering relevant historical facts.<sup>38</sup>

Subsequently, a presidential decree regulated the process, establishing forms of recognition and availability of documents containing personal information considered relevant to history. In 2012 and 2013, the Brazilian National Archives published nine public notices listing archival datasets containing personal information that had open access. The greater part of the documents refer to political police activity in federal jurisdiction during the Brazilian civil–military dictatorship.<sup>39</sup>

One of the first actions proposed by the National Archives, regarding the Unveiled Memories Project, was bringing the attention of the Civil Affairs Ministry to the Brazilian archival legislation and to an effective practice of public archives that have gathered documents of the political police. For this reason, the Reference Center of the Unveiled Memories Project was founded, aimed at designing policies for access and assistance to the Truth Commission, instead of aiming at the cataloguing of documents.<sup>40</sup> The commission released a final report in 2014, identifying 377 persons with political-institutional liability or with actions leading to serious violation of human rights.<sup>41</sup>

The Unveiled Memories Project consists of a network of 29 institutions that preserve collections from DOPS.<sup>42</sup> When accessing the federal collection, one may note that transfer occurred late and that there has been some destruction. In order to illustrate this point, we selected institutions that integrated the 'National System of Information and Counter Information' or SINI and, in particular, the Divisions and Ministry Assistance associated to the feared National Service of Information (SNI). In Table 5.2, one can appreciate a similar complex and ambiguous situation observed in the state archives: despite the high number of archival datasets of the intelligence services catalogued by the National Archives, there seems to be some noticeable gaps: Out of the 16 relevant ministries active between 1964 and 1985, ten had their documents transferred; that is, 62.5%. The loss of the remaining documents is not due to the closure of the departments, but rather theft or removal of part of the books or files.

Brazil may be judged to have an extremely slow and incomplete process of rights reparation and punishment of human rights violators. The relationship between the archives and the situation of injustice seems to be both complex and ambiguous. Preservation of archives opened the door for rights reparation and the identification of State agents who had violated human rights, despite the existence of important gaps and document loss. It is the primary impact of such regional and institutional

**TABLE 5.2** Transfer of documents from the political police of the Ministries of the Brazilian Federal Executive Power

<i>Ministry</i>	<i>Transfer date</i>	<i>Date range of documents</i>
Justice	1990	1946–1986
External affairs	2007	1966–1985
Health	2007	1964–1990
Agriculture	2008	1952–1993
Education and culture	2008	1963–1991
Mining and energy	2008	1975–1988
Finance	2008	1965–1971
Social security and social assistance	2009	1979–1991
Aeronautics	2010	1964–1985
Navy	2011	1968–1977
Defence	–	–
Transport	–	–
Industry and commerce	–	–
Interior	–	–
Labour	–	–
Communication	–	–

Sources: Brasil, 'Decreto-lei N. 200, de 25 de fevereiro de 1967. Dispõe sobre a organização da Administração Federal, estabelece diretrizes para a Reforma Administrativa e dá outras providências', [www2.camara.leg.br/legin/fed/decllei/1960-1969/decreto-lei-200-25-fevereiro-1967-376033-norma-atualizada-pe.html](http://www2.camara.leg.br/legin/fed/decllei/1960-1969/decreto-lei-200-25-fevereiro-1967-376033-norma-1967-376033-norma-atualizada-pe.html); 'Sistema de Informação do Arquivo Nacional', Arquivo Nacional, last modified 1 January 2020, <http://sian.an.gov.br/sianex/consulta/login.asp>

differences upon the citizens' full exercise of their rights ensured by the Brazilian amnesty legislation.

## Final remarks

From 2001 to 2019, out of 66,893 compensation requests sent to the Brazilian Amnesty Commission, 39,782 were accepted.<sup>43</sup> Preservation of archives from DOPS played an important role in the reparation of such rights. However, as mentioned throughout this chapter, there has also been a loss of several archival fonds from repressive state and federal institutions. One hypothesis to be further developed regards the impact of such a loss on the 27,112 compensation requests by individuals persecuted during the military dictatorship whose rights reparation applications were rejected. It is also noteworthy that despite the fact that the amnesty for Brazilian political prisoners was declared in 1979, 9000 requests for compensation and reparation are still 'to be analysed' in the Court 41 years later – a delay that might be due to the struggle to recover the relevant documents.

Last but not least, the Brazilian case is an example that shows archival documents as the foundation of accountability, understood here as a synonym for 'transparency, openness, trust, and responsibility', resulting in 'open access to government

records'.<sup>44</sup> In contrast to this concept is secrecy and 'cover-up', leading to a situation in which the 'state tends to be invisible to civil society' when it does not grant access to records so that liability can be attributed to the decisions of state agents.<sup>45</sup>

The history of the archives from the Brazilian dictatorship is, in this sense, a dilemma between accountability and opacity. In archival studies, far from limiting it to technical procedures, such conflict is a battle for democracy and for a society that works to prevent such human rights violations from happening again.

## Notes

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