

PERSISTING ABSCENCES: THE SOCIO-POLITICAL DYNAMICS OF A DESAPARECIDO IN POST-DICTATORIAL BRAZIL

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INTRODUCTION

The state terrorism that took place under the Brazilian military dictatorship (1964–1985) generated deep traumas in the country. In its attempt to eliminate political opposers while maintaining social legitimacy, the Brazilian State persecuted, kidnapped, tortured, and murdered those considered subversives while concealed their bodies and denied information on their whereabouts. This *modus operandi* scaled up after the inauguration of Institutional Act Number 5 (AI-5), in 1968, a governmental decree that institutionalized violent forms of repression and engendered another struggle – the families’ crusades to unearth clues about their loved ones’ “disappearances.”

From a sociological perspective, these State-sponsored absences, however, could only be processed by relatives according to the given social and political circumstances. With this in mind, this research adopted a qualitative methodology capable of establishing dialogues between the socio-political dynamics and the multiple levels of memory activated by them in the process of addressing the disappearances occurred during the dictatorship. To this end, bibliographic research on Brazilian political history and memory studies will be combined with an analysis of the data found in official documents and complemented with oral testimonies collected through interviews, books, and videos. The correspondence between these materials will enable a dynamic and processual investigation of the social and political aspects involved in the construction of memory.

To examine how dictatorial victims’ absences were processed within institutional, collective, and individual levels during the Brazilian transition to democracy, it seems suitable

to discern, drawing from Jan Assmann¹, the three levels of memory: individual memory, social memory, and cultural memory – each corresponding to a temporal dimension and to the construction of a certain type of identity. According to Assmann, the individual memory refers to a personal neuro-mental system within a subjective time and the construction of an individual identity. The social memory, identified with Halbwachs' concept of collective memory, refers to our social self which depends on interaction and communication, generating what he calls a communicative memory. Cultural memory, on its turn, is more institutionalized and depends on a “body of reusable texts, images, and rituals specific to each society in each epoch, whose ‘cultivation’ serves to stabilize and convey that society’s self-image.”²

In this sense, the official documents produced and circulated by the Brazilian State regarding its dictatorial past, will be related to the cultural memory level. On the other hand, relatives' testimonies, collected mainly through oral transmission, will be related to communicative memory. But these levels are not fixed or enclosed within themselves. It is precisely this active role of memory and the dialectic tensions between its different levels, that will be explored in accordance to victims' relatives' efforts to organize their individual experiences and elaborate their meanings within broader social and cultural frameworks.

I. THE FIRST DAYS OF ABSENCE: FROM STATE-SPONSORED DISAPPEARANCE TO STATE-SPONSORED DOUBT

On February 23, 1974, at the age of 26, Fernando Augusto de Santa Cruz Oliveira was kidnapped by the military regime in Rio de Janeiro along with his friend Eduardo Collier. Fernando was a civil servant with a stable job and fixed residence in São Paulo, where he lived with his wife and his two-year son Felipe. Despite his participation in the revolutionary organization APML (Ação Popular Marxista-Leninista), created by catholic students to resist the dictatorship, Fernando was not being accused of any crimes or being wanted by the regime at any stage. Notwithstanding his legality, during a carnival holiday, after leaving his brother's house at about 4 p.m. to meet with Eduardo Collier, Fernando was abducted never to be seen again.

This date marks the beginning of the story of Fernando's absence under the status of *desaparecido político* (political disappeared). Such condition of absence, generated by a sudden disappearance and followed by scarcity of information within the context of a state of exception, is particularly painful as it is constantly present. For, if the physical appearance of the body allows the present to re-visit the past, its unexplained absence continually interrupts the present to point traces of an unsolved past.

The initial impact of a *desaparecido* to Brazilian families will be addressed here in accordance to Fernando's family's search procedures. According to them, these searches usually consisted in “endless journeys, information that frequently fell into the fallacy's' swamps, painful hours of apprehension in the halls and antechambers of torture and death.”³ After

¹ J. Assmann, “Communicative and Cultural Memory,” in: *Cultural Memory Studies: An International and Interdisciplinary Hand-Book* (Berlin; Nova York: Walter de Gruyter, 2008), pp. 109–118.

¹ Assmann, J. Czaplicka, “Collective Memory and Cultural Identity,” *New German Critique*, 65 (1995), pp. 12–133.

² J. Assmann, J. Czaplicka, op. cit., p. 132.

³ C. de Assis, *Onde está o meu filho? História de um desaparecido político* (Rio de Janeiro: Paz e Terra, 1985), p. 19.

Fernando's disappearance, his family proceeded to this sort of "pilgrimage" so common to victims' relatives within Brazilian (and Latin American) dictatorships. Following the few clues they had, they roamed through different military headquarters only to be mocked or threatened, being left with misleading information that would extend their suffering. This was a highly unsafe search considering that the relatives' request commonly defied the official versions, and therefore their legitimacy. Nonetheless, the imminent risk of being framed as subversives and having the same fate of their relatives was not enough to stop them.

The relatives' search would also take the shape of letters and telegrams written to President-dictators themselves and/or to different members of his government—and even to their wives; to several politicians, lawyers, and members of the church; and to international institutions, media vehicles, and human rights NGOs such as the Amnesty International. Fernando's mother Mrs. Elzita wrote to all of the cited above plus other figures and institutions such as the U.S. senator Edward Kennedy and the International War Crimes Tribunal – which vainly demanded the Brazilian regime to provide clarification on Fernando's disappearance. Between condolences, silences, enraged replies, and even threats, concrete and reliable evidences were rare.

On a letter to Marshall Juarez Távora three months after Fernando's disappearance, Mrs. Elzita appeals to his influence as a military to intercede on her son's case. By invoking his fights for justice in the past, for which he was famous in the North and Northeast, and by highlighting that himself was a father, Mrs. Elzita tried to convince the military to help obtaining information about Fernando's life. The emotionally-charged letter reflected the impact of Fernando's recent disappearance on Mrs. Elzita and her hopes that he would still be alive – especially if compared to her posterior letters.

It's been three months, we don't know what accusations are held against Fernando. I plead your highness with the warmth of a *pernambucana* [a woman who is born in the Northeastern state of Pernambuco] mother, suffering the anguish and affliction of a son's absence, of the uncertainty of his destiny What should I say to my grandson [Fernando's son] when he becomes older and inquire me about his father's whereabouts ...? Should I say he was executed without a trial? Without a defence? On the sly, for a crime he hasn't committed?⁴

Távora wrote back three days later assuring his commitment to forward her letter to Chief of the State General Golbery do Couto e Silva. After four months with no answer, in October 1974, Mrs. Elzita writes again to Távora complimenting his efforts to pass on her letter but considering that eight months have passed and now she just wants to know if he is alive or not, acknowledging she was starting to think that the worst has happened. In December of that year Távora would write back quoting the information he managed to collect with military agents according to whom Elzita's allegations were untruthful and there was nothing left he could do "given the current circumstances."⁵

While Mrs. Elzita's and her family's search managed to mobilize some politicians and military figures, it also managed to displease others. In the end, no official response was provided by the government. Only one year later, responding to relatives' pressure, president Geisel's military government would comment on the case through its Minister of Justice Armando Falcão. The minister's official note denied Fernando's kidnapping and prison, limiting

⁴ Ibidem, p. 136.

⁵ Ibidem, p. 144.

itself to declare that:

Fernando Augusto de Santa Cruz Oliveira, son of Lincoln de Santa Cruz Oliveira and Elzita Santa Cruz Oliveira. Militant of the subversive-terrorist organization *Ação Popular Marxista Leninista – APMML*. He is wanted by the security organs and is now found to be on the run.⁶

In response to the official statement expressed by Falcão, Mrs. Elzita wrote him a public letter challenging his version. In all its formality the letter stated that his allegations that Fernando would be a terrorist on the run were paradoxical since Fernando had a fixed job and residence where he could be found at any time. After challenging his arguments, the letter ended by saying:

What type of ‘run’ would this be, that transforms a respectful, loving and dignified son into a cruel and unhuman being, that would despise his old mother’s pain, his young wife’s affliction, and his very loved son’s affection? ... I cannot accept pure and simply Your Excellency’s arguments ... and expect clarifications about what really happened to my son.⁷

Mrs. Elzita’s letter this time was more assertive in challenging the official version, but the earlier fear about Fernando’s destiny seems to have been replaced by the uncertainty caused by the regime’s obscure and misleading information. About ten years later, Mrs. Elzita commented on that official statement provided by Minister Falcão. According to her it showed “a lack of respect with other peoples’ feelings.”⁸ Moreover, it demonstrated the government’s unwillingness regarding the families’ requests for answers that would at least put them out of that uncertainty. As said by Mrs. Elzita, the worst thing in all this process was the doubt, the lack of a conviction that, as bad as it can be, it’s always better than the doubt.

This State-sponsored doubt came as a consequence of the way the State addressed the absences it produced. It can also be understood as part of the regime’s strategy to perpetuate torture, disseminate fear and induce silence. The effects of this traumatic circumstance can be identified in the melancholic way relatives coped with it – in the difficulty of writing or talking about it, in the refusal to change their phone numbers or to alter the victim’s room – which will be addressed later in this text.

On the other hand, this condition of constant doubt shared by many victims’ relatives also led them to correspond between themselves, and with human rights’ institutions and social movements, creating a web of solidarity that strengthened their claims for truth and justice. As demonstrated by political scientist Carlos Artur Gallo⁹, the relatives’ claims would gain visibility, inside and outside the country, during the transitional period from authoritarianism to democracy.

⁶ *Ibidem*, p. 34.

⁷ *Ibidem*, p. 35.

⁸ *Ibidem*, p. 90.

⁹ C.A. Gallo, “Do luto à luta: um estudo sobre a Comissão de Familiares de Mortos e Desaparecidos Políticos no Brasil. Anos Noventa,” *Revista do Programa de Pós-graduação em História da UFRGS* 19, 35 (2012), pp. 329–361.

2. DISPUTING AN ABSENCE: RELATIVES' POLITICAL AND CULTURAL EFFORTS FOR TRUTH AND JUSTICE

In 1974 began the *regime of transformation* that would promote a slow and gradual shift from authoritarianism to democracy preserving military sectors from being held accountable for their gross human rights violations. During that time social movements intensified their claims for unconditional amnesty to all those accused of political crimes against the dictatorial State. Movements such as the Women's Movement for Amnesty (*Movimento Feminino Pela Anistia – MFPA*) and the Brazilian Committee for Amnesty (*CBA*, created in 1978 by lawyers, families, and friends of political prisoners) were originated in this context. Victims' relatives created the Families' Commission of the Political Dead and Disappeared (*Comissão de Familiares de Mortos e Desaparecidos Políticos – CFMDP*) demanding: 1) the truth about deaths and disappearances; 2) the localization of mortal remains; 3) punishment for all those responsible.¹⁰

In this context, members of the CBA took an open letter to the National Congress with reports on the torture and murders promoted by the military State, demanding the installation of a human rights' parliamentary committee of inquiry. The letter was received by members of the MDB (*Movimento Democrático Brasileiro*, the only opposition party allowed by the regime's bipartisan system), and on March 10, 1979, during the MDB party convention, family members presented their testimonies. In that occasion, Rosalina Santa Cruz, Fernando's sister, gave her testimony:

Enough with the conciliations in the name of an “alliance for peace” that, deep down, justifies the connivance with the military in their desire to remain in power and to conduct the irreversible process of the country's democratization. What the military intend with their “alliance for peace” is to grant amnesty for themselves and to remain in power. ... [T]he fight for the elucidation and total clarifying of such crimes cannot be in the hands of former prisoners and relatives. It is necessary that the whole civil society take on this historical duty. ... It is not vindictiveness. It is simply a desire for justice. ...¹¹

The MDB politicians voted and by 69 against 57 they decided to support the investigations on human rights violation. Even though they knew it would be difficult to judge the torturers, it would be a possibility to register the human rights' violation committed during the regime. The proposal was defeated by the government party ARENA and officially dismissed, but it can be seen as a result of the relatives' organization towards institutional instances to demand their right to elucidate the truth about the disappeared and to hold those responsible to account.

Reacting to social claims and the escalation of national and international human rights' abuse denounces, in June 1979, president-dictator Figueiredo sent his amnesty project to the Congress and, on August 22, 1979, after an agitated Congress voting section, the Law 6.683, known as the Amnesty Law (*Lei de Anistia*), was approved with 206 against 201 votes. Intended to provide national reconciliation, the law granted forgiveness to those accused of practicing political crimes. While it benefited some of the regime's political opposers who have

¹⁰ J. Teles “Melancolía y luto en los relatos de la dictadura brasileña,” *Tla-Melaua, Revista de Ciencias Sociales* 8 (36) (2014), pp. 80–102.

¹¹ C. de Assis, op. cit., p. 55.

been in prison, in exile, lost their public positions or had their political rights suspended, it also favoured immunity to state security agents accused of kidnaps, torture, and murder.

The Amnesty Law's impact over the construction of a cultural memory can be assessed by its ability to stimulate oblivion. For the establishment of a reciprocal amnesty consisted in forgetting the crimes by equalling them. In this sense, what could have been an opportunity to provide means for individual and collective reckoning with the past functioned as a restriction to it by legalizing protection of repressive institutions and impunity to military involved in crimes against humanity.

As for the disappeared, the law stated that relatives could request a declaration of absence for those who were involved in political activities and are now found to be disappeared for more than one year. Followed by a public hearing to analyse the request, relatives could be granted a certificate of "presumed death." Thus, the Amnesty Law did not meet relatives' demands since it did not seek to provide information on or justice for the victims of State violence. It only granted the legal possibility of turning their absences into "presumed death."

While many Brazilians celebrated freedom and the return of those in exile, victims' relatives' democratic expectations competed with a sense of disappointment. This can be evidenced in Mrs. Elzita's testimony when she stated that the movement for amnesty "... was very important, there were so many people outside the country, so many people arrested, and liberty is always a wonderful thing for everyone. [But] I wasn't waiting for Fernando to come back because I knew he wasn't arrested in any place."¹²

The project of a conservative and conciliatory democratization enabled popular participation at a public level at the same time it invested in oblivion policies. The construction of memory became a territory of narrative disputes on how to address the recent dictatorial past. Countering official efforts towards impunity and forgetting, organized victims' relatives, with the support of religious groups and human rights associations, promoted their narratives for memory, truth, and justice through conferences, talks and publications. These initiatives are represented here by the books *Brazil: Never More* (*Brasil: Nunca Mais*) and *Who Killed My Son?* (*Quem Matou Meu Filho?*), both published in 1985.

The book *Brasil: Nunca Mais* (*Brazil: Never Again*, published in English as *Torture in Brazil*) was the result of a project that began in 1979 at the dawn of the democratic period combining efforts between members of the catholic church and lawyers. Coordinated by Presbyterian minister Jamie Wright and Archbishop Paulo Evaristo Arns, the book draws on official military records collected since 1979 to report on the atrocities committed by the regime. Besides detailing the different forms of violence employed by the State it also provided irrefutable proof that these were part of the regime's strategy and not the result of "occasional excess" as claimed by the military sector. Despite the new government's refusal to acknowledge the book's existence it became an immediate best-seller helping to denounce State violence and contributing to the embracing of global human rights discourse by the Brazilian elite.¹³

The term *desaparecidos* appears in the text between quotation marks indicating its figurative meaning to address victims' bodies that were in fact concealed by the State. About this practice the book sees it as a continued form of torture towards the victims' relatives: "the perpetuation of suffering by the uncertainty about the destiny of a loved one, is a practice of

¹² Ibidem, p. 92.

¹³ R. Atencio, *Memory's Turn: Reckoning with Dictatorship in Brazil* (Wisconsin: University of Wisconsin Press, 2014), p. 14.

torture much crueller than the most creative human device for tormenting.”¹⁴ After relying on real examples, the book draws on religious approach to describe the drama of *desaparecidos*' relatives. By combining biblical passages with classic literature and official war conventions the text highlights the importance of respecting the dead and their relatives' right for a burial. The book's final pages are dedicated to a list with the names of the 125 disappeared since 1964 (the ones known at that time), where the name of Fernando Santa Cruz appears as the 38th.

In that same year of 1985 was published the book *Onde Está o Meu Filho? História de Um Desaparecido Político* (Where Is My Son? History of a Political Disappeared), organized by five authors in a concerted effort with Fernando Santa Cruz's friends and relatives. The book is divided in three parts corresponding to: 1) the regime's repression; 2) the subsequent impunity; 3) the relatives' pain. The first and second parts report on Fernando's disappearance and relatives' struggle while describing the dictatorship's history and methods in the background. The third and longest part is dedicated to interviews with his friends and family describing their process of coping with Fernando's disappearance. The feelings of revolt and sadness that permeate these pages are reinforced during Mrs. Elzita's interview transcribed in the subchapter “Where is my son?” that gives the book its title.

Similar to the project *Brasil: Nunca Mais*, the book *Onde Está o Meu Filho?* was at the same time a denounce and a homage. A way for the families of the disappeared to share their stories and denounce the dictatorial State violence in the context of an amnesiac democratization process. Or, as the book describes in its preface, a manner to “interrupt the gala parties of the New Republic ... to call for justice.”¹⁵

By narrating Fernando's disappearance and his family's drama alongside Brazilian recent political history, the book provided a singular account of the dictatorial past. The painful experiences shared by relatives on the level of a social memory were (re)organized alongside institutional actions. Through this process it was possible to elaborate a unified discourse about national past and validate their claims for justice.

3. COPING WITH ABSENCE: BETWEEN MOURNING AND MELANCHOLY

Following the persistence of families and international pressure the Brazilian State would, ten years later, in 1995, approve the Law 9.140, also known as the Law of the Dead and Disappeared. Through this Law, the State recognized its responsibility over the 136 deaths of those “who participated ... in political activities ... and that for this reason have been detained by public agents and have disappeared since then.”¹⁶ In addition, it acknowledged relatives' right to receive death certificates and financial reparation, establishing the Special Commission of the Dead and Disappeared (CEMDP) to do so. Annexed to the Law are also the names of 136 disappeared in which the 41st reads: “Fernando Augusto Santa Cruz Oliveira, Brazilian, married, born in 20th of February of 1948 in Recife-PE, son of Lincoln de Santa Cruz Oliveira and Elzita Santos de Santa Cruz Oliveira (1974).”¹⁷

Besides the financial redressing, the Law 9.140 was very much limited since it did not

¹⁴ Arquidiocese de São Paulo, *Brasil: Nunca Mais* (Petrópolis: Vozes, 1986), p. 628.

¹⁵ C. de Assis, op. cit.

¹⁶ Brasil, *Law 9.140*, http://www.planalto.gov.br/ccivil_03/Leis/L9140compilada.htm [access 1.05.2022].

¹⁷ Ibidem, appendix.

oblige the State to investigate and proceed to recover these mortal remains. If the 1979 Amnesty Law, approved during the dictatorial State, paved the way for the institution of oblivion policies, the Law 9.140 of 1995 legitimized this process within democracy by providing the partial right for truth but with no justice. Thus, the construction of Brazilian “official memory” according to these two legislations relied in large part on a problematic reconciliatory logic according to which post-dictatorial democracies need to “turn the page” in order to flourish. But *desaparecidos*’ relatives could not simply “turn the page.”

This project of reconciliation through forgetting also affected the way relatives processed the absences of their *desaparecidos* by hindering their urge to proper mourning. Victims’ absences were, in this sense, turned into a living and present matter to their relatives. This can be evidenced in testimonies describing the way these absences were experienced. In this respect, Mrs. Elzita’s statement is relevant when she says that “... until these days, when it’s Christmas, I hear his voice calling me ... when these parties come, when everyone gathers together, and that one is missing... There’s always that one missing.”¹⁸

Mrs. Elzita’s statements find a parallel in other mothers’ testimonies, as demonstrated by historian Janaína Teles.¹⁹ Drawing upon her interviews with *desaparecidos*’ relatives Teles distinguishes an ideal type of loss from a real type of loss, and relates the former to melancholy and the latter to mourning.²⁰ Thus, in cases such as Elzita’s (and her family), where the event of a loved one’s death bears no material evidence, it is common to observe an inability to process the loss properly which leaves these relatives in a state between melancholy and mourning. In this sense, an important step towards mourning would consist in relatives’ contact with the victim’s body and the fulfillment of the right to a funeral. This right, denied by the Brazilian state—and by many Latin American countries who experienced dictatorships in the mid-twentieth century—represents an essential ritual within Brazilian large Catholic population.

The material absence of the body leads relatives to a dilemma since mourning, which should be reached through testimony, has to deal with “the permanent difficulty of establishing correspondences between experience and narrative.”²¹ In the Brazilian context, the task of mourning becomes even more difficult considering the political obstacles between the traumatic event and its accounting. To the absence of the body is added the absence of information and active platforms to elaborate narratives, which restrain the access to proper mourning.

4. CONCILIATING WITH ABSENCE: THE BRAZILIAN’S BRIEF MEMORY’S TURN

Following the turn of the millennium, it is initiated a gradual but significant invigoration of the culture of memory and human rights in Brazil. From this period on, as observed by Rebecca Atencio in her book *Memory’s Turn: reckoning with dictatorship in Brazil* (2014), the country slowly started to make its turn to memory by “abandoning its previous discourse of reconciliation by institutionalized forgetting in favor of a new one based on reconciliation by

¹⁸ C. de Assis, op. cit., pp. 85–89.

¹⁹ J. Teles, op. cit.

²⁰ Ibidem.

²¹ Ibidem, p. 93.

institutionalized memory.”²² The initiatives promoted during this period would work toward assisting relatives and society as a whole in reckoning with the dictatorial past.

Regarding these reconciliatory policies it is possible to point out—not without criticisms—some governmental initiatives that promoted a more favourable scenario to the struggle for memory, truth, and justice. For example, in 2001 the Amnesty Commissions were created to facilitate and intensify the financial redressing to victims of the dictatorial regime, and in 2005 a series of new programs were developed by human rights minister Paulo Vanuchi, a former political prisoner and torture victim. To observe the interlinkages between institutional mechanisms and relatives’ ways of coping with victims’ absence, two government initiatives will be considered: the publication of the CEMDP’s final report *Right to Memory and Truth (Direito à Memória e à Verdade)* in 2007 and the National Truth Commission final report published in 2014.

The book *Right to Truth and Memory (Direito à Verdade e à Memória)* was published in 2007 as the final report on the CEMDP’s findings. Within its five hundred pages it aims to make public the Commission’s findings, officialise a final narrative about the period, and overcome the regime’s inherited interpretations. Or, as the book states in the introduction:

It could not remain existing colliding versions ... about runaways, hitting and runs, and suicides disseminated during those dark times by security organs This report-book registers for history the redemption of this memory. Only deeply knowing the dungeons and atrocities of that regretful period of our republican life, the country will learn how to build efficient devices to assure that similar human rights’ violations will never happen again.²³

After a historic contextualization of the regime and its methods against all forms of resistance, the book proceeds to relate the stories of the *desaparecidos*, who are addressed often by the term “political opposers.” Fernando’s disappearance and his family’s struggle are narrated in the book, alongside other 355 cases of death and disappearance. Combining information collected through official documents and personal testimonies, the version of Fernando’s state-sponsored death is supported in the book. Citing another institutional publication, the section on Fernando’s case briefly suggests the intergenerational effects of State violence when reproducing his son’s declaration as a kid: “The soldier killed my dad, I just don’t know why. Mom says I’ll understand when I grow up. But when I grow up, I’m going to the barracks to find out where they hid my dad.”²⁴

During the book’s release ceremony at the Presidential Palace, president Lula highlighted the government’s responsibility towards the relatives’ struggle for their right to a proper burial. Mrs. Elzita, also present at the ceremony, emotionally addressing Lula and his ministers, urged the government to promote further investigations on Fernando’s mortal remains: “I trust that you will give us a prompt response because I am in an advanced age and I don’t think I will have more courage to take this battle until the end.” Following a generalized commotion, Lula stood up and comforted Mrs. Elzita.

Five years later the first National Truth Commission (CNV) was inaugurated aiming to “examine and elucidate gross human rights violations ... in order to consolidate the right for

²² R. Atencio, op. cit., p. 17.

²³ Brasil, *Direito à verdade e à memória: Comissão Especial sobre Mortos e Desaparecidos Políticos* (Brasília: Secretaria Especial dos Direitos Humanos, 2007), p. 18.

²⁴ Ibidem, p. 373.

memory and historical truth, and to promote the national reconciliation.”²⁵ Despite its numerous contradictions and limitations, the Commission corresponded to a relevant initiative towards a public reckoning with the dictatorial past – even though without justice. Assisted by local sub-commissions, members travelled the country collecting testimonies and publicizing their findings in an attempt to engage society in the Commission’s work.

In 2013 a public hearing on Fernando Santa Cruz’s case was promoted by the sub-commission of the city of São Paulo with the presence of Fernando’s brother and sister Marcelo Santa Cruz and Rosalina Santa Cruz. The hearing, which is available online at the official government website, began with Rosalina mentioning Mrs. Elzita who has been actively fighting for memory, truth, and justice, despite her 99 years old, but could not be present due to recent health problems. Rosalina also criticized the Commission’s limitations and the lack of a national emphatic campaign on its works. Following her statements, the hearing proceeded and all information collected on Fernando’s disappearance was discussed by lawyers, historians, relatives, and politicians.

The CNV’s work was synthesized in a final report published in 2014. Consisting in three volumes, the report provides an official historical account of the period from 1946–1988, which includes the Brazilian dictatorship. The name Fernando Santa Cruz appears three times in the first volume: in a brief description of his story, and in the list of the dead and disappeared annexed to it. His name also appears in the transcription of a public hearing with Cláudio Guerra, a Chief Police Officer during the dictatorship, in which he relates that Fernando, as many others, was murdered and his body incinerated.

In the third volume, which reports on each case of dead and disappeared according to information collected so far, Fernando’s case is related with details. The individual report is divided into: (1) Biography; (2) Review of the case before the CNV; (3) Circumstances of disappearance and death; (4) Place of disappearance and death; (5) Identification of the authors (from the president-dictator Médici, to the Army’s Minister and their direct subordinates). The report ends with a brief conclusion and recommendation:

... Fernando Augusto de Santa Cruz Oliveira was arrested and murdered by agents of the Brazilian State and remains disappeared It is recommended the correction of the death certificate ... and the continuity of investigations about the circumstances of his disappearance, to locate and identify his mortal remains, as well as to identify and hold responsible other involved agents.²⁶

The CNV work and its final report therefore represented an attempt to elaborate an official version of the atrocities committed by State agents during the Brazilian dictatorial past. For the relatives, it constituted an opportunity to register their traumatic experiences and to conciliate them within an official discourse. Their memories, shared at a social and familiar level, could now find correspondence at a cultural level represented by the official report.

On the other hand, the CNV’s work can also be considered “too little, too late” as suggested by historian Nina Schneider, for example. By emphasizing truth over justice, the Brazilian National Truth Commission did not encourage the promotion of any sort of trials following the human rights’ violations openly reported by military during public hearings.

²⁵ Brasil, *Law 12.528*, http://www.planalto.gov.br/ccivil_03/ato2011-2014/2011/lei/l12528.htm [access: 1.05.2022].

²⁶ Brasil, *Relatórios da Comissão Nacional da Verdade* (Brasília: CNV, 2014), vol. 3, p. 1607.

This approach seems to have undermined the possibility of an effective reckoning with the past at a national level. As a consequence, challenging versions could still find place within military sectors and conservative politicians, and they would escalate following a scenario of growing ideological polarization.

After the 2014 elections inside a context of left-wing vs right-wing political disputes, questioning the CNV's credibility and relativizing past human rights violation became an ideological practice. In 2016, during the impeachment process, right-wing politician Jair Bolsonaro used the moment of his voting to celebrate the memory of the torturer Brilhante Ustra, the only Brazilian military ever condemned, who was responsible for President Dilma Rousseff's torture during the dictatorship. Two years later, Jair Bolsonaro would be elected president.

In 2019, following criticisms against the Brazilian Bar Association headed by Felipe Santa Cruz, Fernando's son, Jair Bolsonaro said that one day he would tell Felipe how his father died, but he would not like the truth. Following intense social and institutional reactions Bolsonaro said that Fernando was killed by leftist groups. In reply, Felipe Santa Cruz wrote a public letter highlighting the president's cruelty towards a family pain, and requesting him to disclose all information he claimed to have.

The events presented above, unfolded following the period defined here as the memory's turn, demonstrate how the process of reconciliation by institutionalized memory interacted with the relatives' struggle for truth, memory, and justice. By observing the ways Fernando's absence was accounted by official mechanisms and by relatives during this period it is possible to affirm that it represented a moment of official reckoning with the past where relatives' experience could be conciliated with the national memory. However, these events also suggest that the elaboration of an official account of the past through official reports does not guarantee its stability within the national memory. Perhaps, sociologist Elizabeth Jelin is right when she quotes Yosef Yerushalmi to question: "Is it possible that the antonym of 'forgetting' is not 'remembering,' but justice?"²⁷

CONCLUSION

By tracking the way Fernando's disappearance was addressed by the State and by relatives in different moments throughout the Brazilian transition until the present days, this paper aimed to analyse the social and political interlinkages regarding the various levels involved in mnemonic constructions.

Corresponding to the period in which State violence was denied by all government institutions, the years following the victim's disappearance were marked by the relatives' desperate search. Affliction, long waits, and uncertainty paralleled with correspondences with members of the military regime and national and international relevant figures. The lack of an official response held Fernando's relatives in a state of doubt that would eventually lead into social organizations pressuring the government for amnesty and investigations on human rights violations.

The relatives' organization and national and international denounces of human rights violations created a scenario for the democratic transition. The first civilian president to come

²⁷ E. Jelin, *Los Trabajos de la Memoria* (Lima: Instituto de Estudios Peruanos, IEP, 2012), p. 161.

to power after the regime marked the beginning of a new era. This era was characterized by a combination of the expansion of popular participation on political debates and the reconciliation through institutionalized forgetting. Within my investigation, this is represented institutionally by the 1979 Amnesty Law granting impunity to both victims and perpetrators, and socially by the 1985 publication of two books denouncing the State terrorism.

The third moment corresponded to the first time the government acknowledged its role in the disappearances and granted financial redressing to victims and their relatives through the Law 9.140 of 1995. Providing a partial truth but with no justice contributed to holding relatives in a state between mourning and melancholy. This is affirmed here with the support of historian Janaína Teles' researches, and exemplified through Fernando's mother interviews and testimonies.

The fourth moment corresponds to what Rebecca Atencio conceives as the Brazilian memory's turn that began with the twenty-first century arrival and culminated in the installation of the first National Truth Commission. At this point, the government started investing in reconciliation through institutionalized memory, when it was possible to observe a series of initiatives aiming to investigate and report on the cases of the *desaparecidos*. Here, the relationship between government, victims, and their relatives became much more active, which contributed to the production of more spaces for trauma elaboration.

This investigation leads to concluding that post-dictatorial mnemonic conflicts correspond to all victims' efforts to process their traumatic experiences within the political circumstances of a specific moment. In this sense, the collectivization of their struggle through organized groups and the production of cultural means (such as the book published by Fernando's relatives) appear to have a singular relevance. By exploring such strategies, they attempt to situate their individual experience within a broad official history.

The Brazilian case demonstrates that the mnemonic narratives shared at the social level with such persistence might reach the status of official memory. And the *desaparecido* that once was a "subversive on the run" to the State can be officially recognized as a victim "murdered by agents of the Brazilian State" 40 years later. However, memory policies and official symbolic reparations without justice might leave space for contradicting versions—even when these lack any sort of credibility.

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SUMMARY

The construction of memories following the last Brazilian dictatorship is as plural as the number of social actors implicated and as fluid as political circumstances can be. From investments on institutionalized forgetting to the creation of policies of memory, governmental initiatives affected the way society processed the acts of terror perpetrated by the military regime (1964–1985). The development of such initiatives, however, cannot be understood without accounting for the persistent struggle of victims' relatives and human rights' advocates. This paper aims to reflect on the Brazilian post-dictatorial mnemonic conflicts by observing how different levels of memory interacted with the political sphere in the process of coping with political disappearance. Drawing on relatives' testimonies regarding the disappearance of Fernando Santa Cruz and the institutional mechanisms developed by different governments, this text intends to demonstrate how State-sponsored absences during the dictatorship are constantly being (re)constructed according to social and political circumstances of the present.

KEYWORDS

desaparecidos, political disappeared, cultural memory, Brazilian dictatorship