

Forensic Archeology: Many Scenarios, Different Contexts

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Abstract

This essay aims to approach forensic archeology. Discuss the political violence context and your criminal function. Approach the use of archaeological methodologies in the resolution of cases related to judicial activities and monitoring of legal problems in forensic level. However, the most important, allows the dialogue between archeology and the related topics to disregard for basic principles of life in society and for human rights. The comparison of the different scenarios and contexts in South America is here approached in order to contribute to this discussion.

Keywords: forensic archeology; violence; violation of human rights; dictatorship; justice and reparation

After the context of the Second World War of the twentieth century, came to the fore very relevant questions focused on social movements, civil rights, women's position in society, social heterogeneity, among others. These movements do with that previously restricted fields of social sciences and humanities, integrated themselves in search of broader epistemological discourses and programs (Funari & Zarankin, 2008, p.23).

The do archeology, which involves working the past, distant or contemporary works from the material culture, and has contributed, in modern social context, along with the *"plain rich scientific potential, which will add to the already known and published content about the recent past era of dictatorships in Latin America"* (Funari & Zarankin, 2008), towards effective participation in these issues.

In some countries, such as Brazil, forensic archeology was born as a branch of anthropology called physical anthropology, or biological anthropology, and in other countries, as a branch of archeology. In both situations, it shows so many facets, so many uses and so many ways to present, which allows us to hypothesize to be an additional tool in the context of general science, social science and service, both in the colonial historical context, or newer, as still applicable to the pre-colonial context. In Brazil, forensic archeology has been an important tool in the resolution of legal / criminal cases. Since then, serves as a fundamental tool for criminalistics studies and for resolving cases of unnatural deaths (Santos, 2011 & Silva et.al., 2012). However,

"The state of art of forensic archeology in the Brazilian case is to be built in this next decade. In this construction will become apparent the specificity of more than one subordinator science: we will be facing a forensic archeology and an independent forensic anthropology, converging to related issues and pressing social needs"(Silva et.al., 2012).

Beyond the context of violence, especially to aid in the search for victims of authoritarian regimes around the world, this science can serve other studies and may also divert attention from what it really needs to be, an investigative science, whose nature is produce evidence for the subsidy actions of justice to individuals, communities and societies.

Forensic archeology is based on the application of theories and archaeological methodologies for excavation and recovery of evidence left at a crime scene. The archaeological methodology applied in a criminal context can provide the recovery essential evidence for the development of the case and lead to the conviction of the guilty. (Hunter & Hunter et.al. 1996 & Cox, 2005).

By the analysis of several articles and publications in this field, one realizes that in Brazil, the issues are somewhat similar to those observed in neighboring countries with regard to the treatment of problems from military dictatorship period. However, the form of treatment of the matter is variable, depending on the actions of repressive governments to their victims, is quite distinct.

Facing this brief observation, common elements here are raised to some world situations and then an attempt is made for a comparative approach to South America, so that they realize in which moments these stories of repression, violence and death intersect or move away. Finally, what you want, in fact, is the perception of this field of Forensic Archaeology as a great ally in matters involving social violence, injustice, human rights abuses, in addressing the legacy of hiding, groups and people without history, and non-places ", revealing that science also search for justice, truth and reparation.

1- The Past that does Not Pass

Throughout the twentieth century, was not only Latin America suffered military or civilian dictatorships, but first the southern and eastern Europe, with very striking situations in Italy, Portugal, Spain and Greece.

Américo Freire (in Pinto & Martin 2013, p.07) says: "*in the short twentieth century, were liquidated or went into deep crisis, Soviet socialism, the European welfare state and the militant Anglo-Saxon liberalism.*" As a result, he says, "*the democratic wave opened by the Portuguese Carnation Revolution, put under military dictatorships and civilian different hues in South and Eastern Europe, and Latin America*".

The way that each of these countries, after the conquest of their democracies, framed its authoritarian past, was quite different. The way that each of these countries, after the conquest of their democracies, framed its authoritarian past, was quite different. But each had to deal also with the policies of the past, with the legacy of violations against human rights and the search for excellence, accountability and punishment of the elites associated with dictatorial regimes.

Since 1945 there have been transitions from dictatorships to democratic regimes. Pinto (2013, p.27) says that in a period of about a year, 22 dictatorships fell, and the vast majority was for negotiated transitions. So each one had a different political and social post dictatorship rearrangement time.

Italy lived about three decades of the Fascist regime and the following two authoritarian governments. The democratization process occurred with the fall of Mussolini in 1943, and amnesties came in 1946-1950. In Portugal the fall of the dictatorship was in 1974 and was followed by a new state crisis. The processes of dissolution and punishment went on for about two years, so very quickly there was a break with the past. Spain was known to face a very violent and painful past dictator, so that the transition process lasted over 20 years, with the maintenance of an amnesty that ensured that the perpetrators of the dictatorship stay protected from being prosecuted. It was the most emblematic case of delayed analysis of its authoritarian past. Greece opted on the contrary, a quick and calculated transitional justice in 1974.

Later, the Latin American dictatorships had its beginning situated on the world political context of the Cold War and the Cuban Revolution (1959), and all were completed by the early years of the 1980s.

It is known that the acts committed in the name of dictatorships left traces, signs. Left many physical and social scars. And it is even agreed that all dictatorships had in common inhumane acts, strong repression and authoritarianism. Therefore, all these countries are now engaged in studies aimed at unraveling the fragments of history, but above all, in time to punish those involved in atrocities.

In practice, in all countries where dictatorial regimes occurred, the control of the opposition was the same, given by exile, imprisonment and murder, with limited access to information for common people, and censorship declared to the media that affected and informed the population.

However, each country has faced the problem adversely. In most of them the population tries to forget the horrors and also the problems of impunity.

Soares (in Funari & Zarankin & Reis, 2008), says that each people took different path to drive the process, and there is no single formula for dealing with the legacy of violence and secrets of dictatorships. Each place has its social, cultural particularities and the common link was the dictator core that in general allied to each other, as is the case of Operation Condor in South America, also filled with a lot of mystery.

The way the current democracies react with the problems of the former authoritarian regimes reveals that dealing with the past is a great challenge and depends on the quality of contemporary democracy. Revisiting the past for overcoming difficult historical legacies, and on top in an attempt to punish governments or elites linked to authoritarian regimes is not straightforward, much less comfortable.

Pinto and Martin (2013) say:

"New factors such as the international environment, conditionality, partisan cleavages, memory cycles and commemorations, the policies of forgiveness and others effectively bring the past back to the political arena."

The documentation was produced by a large hand, since some governments tried to endorse producing what they considered the evidence that they were acting within the law, on the other hand, sparse, as is the case of Brazil that not admitted to have eliminated and tortured people. Too much evidence, everywhere, were destroyed after the end of the schemes.

The way how the democratic regimes, immediately subsequent to dictatorial regimes acted, was very important for maintaining the memory of what happened. Center-right governments tend to mask the actions. Pinto and Martin (2013) speak in a "schizophrenic" situation where on one hand it has the position of transitional justice encouraged by the State and on the other, the same State which carried out the torture denying ever having existed acts.

Therefore, it is necessary that the academic and scientific field come to act quickly in an attempt to contribute to those responsible for the acts can also be reached and punished and that connoisseurs and keepers of memories and stories are also accessible.

Funari and Zarankin (2008) warn of the "non-places" or clandestine places hiding "those who are simply no longer present" that are not alive since disappeared but are not dead since they were not found. On the one hand the absence, on the other, official concealment. So, locate, identify and interpret traces becomes a duty, an obligation and debt to the people without history.

Disappear the people and disappear with justice, the history of any of these locations do not disappear. No hidden the guilt, does not erase the pain of thousands of families. In this sense, it remains to say that it is a duty of archeology to contribute in defense of the right to truth and memory. The identification of mortal remains from missing persons and the mourning for the victims are cultural goods to be maintained (in Funari & Zarankin & Reis, 2008). Mourning, intangible cultural property is worthy of protection, according to Soares.

2- The Military Regime in Brazil (1964 – 1985)

After the Paraguay War (1864-1870) the military in Brazil reached a very significant political power, and for decades have been increasingly getting stronger. With the Proclamation of the Republic (1889), and later with the performance in the Revolution of 1930, this strengthening assured to armed forces, a trusted status in the society, and gradually they turn completely caught up in political and social circles of the Brazilian power.

In 1950, at a time when the progress' spirit of the country was strong, with important achievements of territories and new productive spaces, the Brazilian military were able to put themselves in a patriotic manner and defensive, in the impediment of possible candidates to power, from individuals with "communist ideas". At that time they were strengthened further by preventing candidates as Juscelino Kubitschek and João Goulart, reactionary, took possession.

In 1961, João Goulart, controversial, took power and his proposal was to implement policies of the left, such as land reform and other. Because of these considerations, had revoked his government, was pursued and overthrown by the military in 1964, fleeing to Uruguay. At that time it was feared that Brazil join Cuba and the Communist bloc in Latin America.

Thus, faced with the possibility of parents "be contaminated", and the example of other countries that have lived on the military dictatorship, the military took over in the Brazil and instituted new laws through constitutional acts that culminated in the toughest of all, AI5, established in 1968, under President Arthur Costa e Silva.

This act placed in recess Congress decreed intervention in states and municipalities, political rights suspended, banned demonstrations, and eliminated any guarantee of habeas corpus. With this military ruled the country and instituted terror and fear for about 20 years.

Many impositions and atrocities occurred in Brazil in the repressive period, which lasted until 1978. The constitution of 1945 was replaced by a new from 1967. National Congress was dissolved during this period. There was suppression of individual freedoms and the creation of a military criminal code that allowed arrest suspects without any condition of judicial review, the subsequent violent arrest subsequent acts.

The culmination of this dictatorship was the year 1970. There was complete censorship of the media, torture and exile for hundreds of protesters, students, artists, politicians, intellectuals and common people who had personal relationships with any of these suspects.

Also during this period, the State instituted the Law 6.683/79, called the Amnesty Law for Political Crimes that forgave the crimes of any kind committed by agents of the State for political motivation.

Also to this action, the government created military agencies of repression in almost all units of the Federation, called DOI and CODI. They were the Detachments of Information Operations and Operations Centers Internal Defense. These were intelligence and repression sectors, military, whose philosophy was the doctrine of National Security.

The first of these organisms (DOI) was born in São Paulo, embryonic in a previous operation that was called Operation Bandeirantes (OBAN) who had acted in 1969. That, coordinated and integrated actions of the organs of repression of individuals who represent a threat to the nation. The established DOIs were expanded in CODIs. Were separate bodies, but acted in a complementary way. This military structure is that it was largely responsible for all acts of torture, imprisonment, exile and deaths of several Brazilian military regime.

At the end of the 1960s until 1974, the dictatorial regime was threatened by guerrilla forces that were established in the areas of north-central Brazil. The movement that became known as the Araguaia Guerrilla, was narrated by guerrillas who survived (Moura, 1979), as a long period of great confrontation between rebels and_ the army, which resulted in many deaths on both sides.

This movement was made up of common people, rural workers and residents of the towns and villages of the interior jungles of the Araguaia River, encouraged by "subversive enemies", in reality militants of the Communist Party of Brazil (PC do B), who wanted to overthrow the military government, take power through an uprising of the population. The aim was to install a communist government along the lines of what happened in Cuba and China.

The people who followed this idea, defended their rights to the occupation of lands, some of them, many years ago, which at that time were being aimed at large estates by rulers. In this context, in the name of national progress and advancement to the interior of Brazil, internalization was encouraged, and the lands were distributed to large companies in an unfair and far demarcation, which did not consider smallholders who inhabited the lands. From overnight, residents of sites, farms and smallholdings, were reported that should leave their land. The mobilization, from the idea of small groups of militants was inevitable, and the confrontation too.

It is believed that about 80 people were directly involved in the guerrilla movement. No one knows exactly the number of dead, but it is estimated that there were about 20 survivors, and that 50 or more people today constitute the list of missing the Araguaia Guerrilla.

3- The Military Regime in Latin America

3.1 – Argentina (1973 – 1983)

The military dictatorship in Argentina was a violent period of persecution and torture, but that was designated by the State as a necessary "National Reorganization Process".

The main icon of violence that period was what they called "death flights" where prisoners were thrown alive into the sea, inside military aircraft, or on the River Plate. Their bodies appeared on beaches and riverbanks. Another common form of violence was the death under torture in the detention centers scattered across the country. These deaths were considered indigent and their bodies buried in common graves and clandestine cemeteries of the officers. It is estimated that about 30 000 people disappeared in this context.

This genocide was subsidized by the state. And has as main target the Peronist government. Juan Domingo Peron was a statesman who ruled the country for three different times: in 1946, when he was married to Eva Perón in 1951 and in 1973 he was adept Justicialist National Movement, which became the Justicialist Party. His ideas had sole focus in the popular movement. For him the "Peronism was the class that behaved men workers, and the work was his philosophy of life. The main focus of this movement was justice, and social support, the protection of human and labor rights. All current achievements of Argentine workers are due to the mandates of Perón.

Perón belonged to the Labor Party (workers), was adept at a political line nationalist and labor. His opponents were conservatives. Peron won three elections with a majority vote.

After a long period of development and achievements, in 1974, Perón died and left the presidency with his second wife, Izabelita Perón. She was the first woman to assume the presidency of Argentina. But in 1976 her government suffered a coup by the military who disapproved her performance.

When deprived Peronism of the power, assumed the military, which repealed the National Constitution, removed the members of the Supreme Court and violently repressed any expression of Peronist political ideas. Closed newspapers and arrested their owners, the parents removed the corpse of Evita Peron, popular icon, and decreed illegal Peronism.

The first military man to take power was General Jorge Rafael Videla, who ruled on behalf of the National Reorganization Process. Persecuted, tortured, executed political prisoners, practiced explicit terrorism, with human rights violations, produced and financed armed conflicts against neighboring countries. This government, however, did not produce economic growth and became a catastrophe for the country's development.

What predominated in this period was one of the greatest tragedies witnessed by mankind. Excesses of power, official blind people, attempts to justify the unjustifiable. From 1973 to 1983 Argentina disappeared with more than 30 thousand citizens, under the aegis of intolerance, incoherence and arrogance that surrounds the circles of power.

The Clandestine Detention Center (SSC) were specially created with similar characteristics in relation to the Brazilian DOI-CODI. Campaigns of collective repression (CRC) were instituted actually were totally clandestine campaigns that characterized the state terrorism.

During this period of 10 years, any person who belonged to any militant core, or that it was only suspected of belonging to a group, in any degree, was subject to disappear. Even worse, people completely out of suspicion, but that related, or who were relatives of activists, or some militant, ran the risk of disappearing mysteriously.

In this context, by means of abduction, people leave their homes or work and simply disappeared. Were taken to the CCDs by agents of the State, where they were imprisoned, tortured and killed. Their bodies, sometimes appeared abandoned on public roads, were sometimes found on the beaches and shores of the River Plate. At that moment the state, surreptitiously was responsible for the disappearance, assumed the role of guardian of public order and gave the referrals to resolve the problem. Records, minutes, a judge to confirm the possible causes of death, autopsy, no confirmation of identification, books tumbles, non-papers, and final burial as indigent. That was the end of thousands of Argentine citizens, many for no reason that could justify their dry performance against the state.

Briefly, in this period, the country showed a strong commercial, industrial, economic, and socially, was greatly moved down. The peak occurred with the Falklands War against Britain, which resulted in the deaths of more than 600 young people. This caused the end of military rule and the beginning of democracy.

3.2 – Uruguay (1973 – 1985)

Uruguay experienced a period of economic crisis that began around 1955 and lasted throughout the 1960s. The economic downturn has generated conflicts and the rise of far-right groups, until it culminated in a coup in 1973. In the Uruguay the dictatorial repressive period lasted more two years than in Argentina.

It was a civil-military dictatorship, which were hard fought the political parties, and trade unions were deemed illegal. There were persecutions, torture and execution of opponents of the current regime. The coup ended the Senate and the House of Representatives, establishing a Council of State created to reform the nation (Caetano, 1987).

Democracy existed before, was abolished. The country was subjected to "curfews" and strikes were banned. Uruguay had about five thousand political prisoners, as well as trade unionists and intellectuals. There was also persecution to the press and censorship.

After twelve years as well as in other countries in South America that lived dictatorship, the structural problems of the nation were enormous, and the civil pressure could restore the democracy. Uruguay have reached 5000 political prisoners.

3.3 – Paraguay (1954- 1989)

Paraguay was another country who lived two strenuous periods of dictatorship and repression. The first began in 1940, with General Moringo Hyginus, and lasted eight years. After successive blows of power and four presidencies, reentered military dictatorship in 1954, with General Alfredo Stroessner.

Stroessner took office for the first time in 1954, and managed to get reelected, by force, in 1958, 1963, 1973, 1978, 1983 and 1988. He instituted a state of permanent siege for country and every reelection he suspended this condition for a day, enough time for his supporters to vote again to reelect him.

Made arrangements at the expense of the exile of democratic leaders, the armed force, repression of the clergy, terror and fear to the population. Alfredo Stroessner was overthrown only in 1989 by another military, André Rodríguez, and the coup spawned dozens of deaths. Thereafter the country search, even today, to rebuild and reverse the dictatorial damages. Paraguay had the longest dictatorship in South America.

3.4 – Bolivia (1971 – 1985)

The instability is the main brand of the political history of this country. According to the newspaper O Estado matter (March 02, 2012), between the independence in 1825, and the end of military dictatorship in 1982, the country witnessed 193 coups. According to this text, the international correspondent John Gunther, in 1944, declared, "Bolivia is not a country, it is a problem".

This nation has seen in its history the most unusual events that may be. Since the lynching and killing of a president (Gualberto Villarroel, 1946) for the population; the absence of a leader for up to 23 days, for four conditions; the highest inflation ever witnessed by a country; rewriting the Charter Magma by 12 times; and still others peculiar and unique historical facts.

Bolivia has lived under military power since 1964. The military stood out and to expand their military forces made strong coalitions with farmers (Suarez, 2008). However, the biggest problem, generator of all struggle by the power has always been linked to mining. The country is rich in tin ore and the population was always used by international companies exploiting this well.

Against this exploration, emerged some weak guerrilla movements in the Andean region. In 1966 the Cuban guerrilla Ernesto Che Guevara appeared in the region, and in 1967, he had already strengthened and ally and some rebel pockets in an attempt to growth of a movement that would later throughout Latin America (Pérez Guillen, 2004).

Che Guevara formed a small contingent of followers. The country's army mobilized to eliminate the guerrilla focus and in October 1967 he was cornered, arrested and executed. It was not known more news because the event turned into a military secret.

This occurred in the government of René Barravientos, who died then in 1969. The dictatorship took place between 1971 and 1985. From 1969, various military governments have succeeded in a short time. The government of Hugo Banzer Suarez (1978), was the hardest and most violent of the dictatorial period. There were hunted to the labor movement, suspension of civil rights, placement of troops in centers of mining activity for protection, alliances with other military governments against leftist from South America.

The end of the regime came with the falling price of ore in the international market and the economic crisis generated below. Also the military failed to prevent the emergence of groups linked to drug trafficking the increase in drug trafficking. With this came intense international pressure for a positioning and control of this activity.

After great crisis, the last years of the dictatorship were the worst, with arrests, killings and disappearances. The military government fell in 1980 and the democracy was established.

3.5 – Chile (1973 – 1990)

Salvador Allende, president of Chile, was overthrown by General Augusto Pinochet in September 1973. After the invasion of Palacio de la Moneda, removed the body of Allende who supposedly killed himself. Thus the dictatorial model was introduced in Chile.

The Pinochet government instituted as repressive agency the DINA, Director of National Intelligence, which had as leader Gen. Manuel Contreras. The DINA had the same principle of the DOI-CODI Brazilian and Argentine CCDs. This institution confined persons in Operating Centers around the country. Had as its main enemy the Marxist movement in all its manifestations.

The agents of DINA, led a campaign of repression that killed 60 people in the GAP (Group of Personal Friends of Allende), 400 people in the MIR (Movement of the Revolutionary Left), 400 people from Chilean Socialist Party and 350 people from Communist Party of Chile. These deaths were considered by the State.

In the years that followed, the DINA kidnapped, tortured and murdered thousands of people. Until today no one knows the correct figure of this barbarism. It is estimated that there were about 40 000 victims of this government. In addition, the dictatorial Chilean state instituted an international operation in conjunction with other Latin American countries, to contain elements of the left. The operation, named Condor (in Brazil called Operation Carcará) involved joint actions in Brazil, Bolivia, Argentina, Uruguay and Paraguay.

This politico-military alliance had targeted any opponents of dictatorial governments and aimed eliminate the revolutionary leaders that were installed in any territory of the "Southern Cone". In Brazil, there are a lot of evidences of the performance of this operation, just as there are strong indications that former ex-president Jango and Juscelino Kubikchek have been a victim of it.

The writer Heraldo Muñoz (2008) reports that Augusto Pinochet became known worldwide as synonymous with tyranny, cruelty and arrogance. Ruled for 17 years with a bloody dictatorship, and led a series of reforms that made Chile one of the most developed nations of Latin America, but was responsible for about 40 000 victims of imprisonment, torture, death or disappearance. Muñoz, witnessed the Pinochet coup that overthrew Salvador Allende on September 11, 1973. In his book Muñoz tells episodes hitherto unknown and vast research material, secret documents and interviews with the main characters involved. Reveals the role of the United States Government with direct support from Kissinger to Pinochet, and discussions between exiles to organize resistance to the dictatorship and the struggle of the opposition to end the regime.

In the early 1980s, the Chilean population has promoted a great pressure on the government and overthrew Pinochet.

3.6 – Colombia (1950 – 1953)

According to Carl Langebaek (in Funari, Zarankin and Reis, 2008), Colombia is not a country of dictatorship, on the contrary, has always been marked by democratic governments. The exception was a single conservative government of Laureano Gómez, who from 1950 to 1953, led supported by traditional parties. There was no persecution of students, intellectuals or actions of the type that were observed in the rest of the Southern Cone. Conversely this country recorded two extreme cases of violence, killings and disappearances of people, one in 1948 and another in 1985.

A series of protests and disorders as a direct result of an event was the first event that occurred in 1948, when the liberal leader Jorge Eliecer Gaitan, then presidential candidate of the country, and well liked and respected by the people, was assassinated. The popular uprising and the reaction of the police and army after the death of this leader resulted in a high social account. In just one night, great part of town was devastated and the event became known as Bogotazo.

Hundreds of people died that night, and hundreds disappeared. The following 12-year period, until 1960, was called La Violencia. It was not properly connected to repressive governments, but the context of violence and confrontation of citizens and repressive forces linked to the powers that be. During During the La Violencia is estimated that about 200 000 citizens were killed and most are considered missing.

Another very disturbing case in the history of this country shows the intolerance and violence of the police and military forces against society. The event known as Operación Antonio Nariño by the Derechos del Hombre, popularly called the Holocaust the Palace of Justice in Bogotá, occurred in November 1985.

The guerrilla known as M-19 command took the building of the courthouse, in front of the Congress Colombian. In the local a trial happened that brought together public officials, judges, counselors of state, judicial servers, several employees and visitors. The guerrilla group took 350 hostages for 24 hours. In reprisal, the National Police and the Colombian army stepped into the building and opened fire. The balance of this tragedy was over a hundred dead, including 11 judges, 95 employees and visitors, and eight guerrillas.

Thus, between the murder of a leader and the attempted taking of a government institution by guerrillas passed nearly 40 years of disrespect for the rights of life, and only one certainty, the scale of the tragedy that struck the population and, together, the power.

3.7 – Venezuela (1948 – 1958)

This country, who also lived democracy until 1948, experienced a dictatorial regime that lasted ten years, led by Peres Gimenez. After that the democracy was reestablished and the remnants of the dictatorship remained only on the walls of barracks, used for the confinement of military prisoners and politicians of the time. This story, described by Navarrete and López (in Funari, Zarankin and Reis, 2008), also shows that, despite this democracy, the country now live under the yoke of subversive and revolutionary movements. In 1992 Venezuela suffered an attempted military coup, but without success. Currently, despite the revolutionary regime, democracy tries to stop the atrocities, but can not prevent deaths in defense of freedom and social justice.

4- How Post Dictatorship Democratic States Face Problems

According to Soares (in Funari, Zarankin and Reis, 2008), in Brazil, with the 1988 Constitution, through the expansion and revision of the Amnesty Law (Law nr. 6,683 / 79), three main themes were perceived to face the problems arising from disregard of life being by the ways of justice, truth and reparation. This period is called the post dictatorship period of transitional justice, or transitional, and varies for each country affected differently.

In other Latin American countries, the treatment of the problems of disappearances was different from what happened in Brazil. In the early 1990s, Brazil imposed a national policy of public and private establishing full access to documents files. This is the Law nr. 8159/91. However, the weakness of the right to access and query it was established by another decree, nr 4555/2002, as amended in Decree nr 5301/2004, which ranks documents in reserved, confidential, secret and top secret, and indicates different periodicities to the periods of secrecy. Thus, protected documents might be 30 years, renewable for the same time.

For the actions of repair, a Brazilian law (Law nr_ 9,140 / 95, corrected and enlarged in 2002) established the Special Committee on Political Deaths and Disappearances_ This law allows holding the State responsible for the deaths and disappearances in the period between 1961 and 1988. However, certain obstacles hinder families in recognition of the harm because, the family and society cannot know the causes of death, even the location where the victims are; otherwise the State does not recognize that the deaths are his responsibilities and even they were caused by agents of the Union.

The Brazilian government also does not allow broad access to existing documentation on the period since the existing classified as top-secret documents, being unavailable for 30 years, renewable for another 30.

To be able to compare the situation of Brazil against other countries in South America that experienced the same problem, it is still necessary to realize that there were not many cases of disappearance in Brazil, as happened, for example, in Argentina and Chile. Also, in Brazil, many cases of death due process did not result in the State having the bodies returned to the families of those killed, not configuring responsibility for the disappearance.

Remains still to Brazil, the search for the missing movement called the Araguaia Guerrilla. Some of the processes have already began, but just bump exactly in the condition of not assume by the State, the responsibility. Isolated families are admitted in proceedings, but the slowness of justice makes cases linger and meanwhile the culprits age and die.

In Uruguay, after the end of the repressive period, the biggest problem faced by that nation was the validity of the Amnesty Law and the Law on Expiry of Claim Punitive from the State, approved by the National Party in 1986 Directory (Guedes, 2008). For this cool artifact, military and police remain protected and cannot answer for the atrocities committed during the dictatorship. This law guarantees the filing of any denunciation against the State and the aggressors.

Currently, it is a matter of great social pressure differences and the Inter-American Commission on Human Rights on Uruguay. It remains emphasize that two referendums have failed to prove the unconstitutionality of the old law. Agents of the Uruguayan military dictatorship remain unpunished and people still search for truth and justice.

Still in Uruguay, according to José Mazz (in Funari, Zarankin and Reis, 2008), after the end of the repression documents in the USA and Uruguay Chancery were reached, allowing confirmation of the acts and the opening of proceedings against offenders, especially the commander Bordaberry and his minister Juan Carlos Blanco. As well as confirmed their involvement in Operation Condor and the alliance with the Southern Cone. Uruguay has managed to punish those involved, but still has long way to go in identifying forgotten and oppressed, invisible to history, and were the silent victims of the authoritarian State.

In Chile, after the ousting of the dictatorial government began the punishment of military personnel involved in the crimes of repression. This is the country has better achieved transitional justice (SOARES, in Funari, Zarankin and Reis, 2008) in the cases against dictatorship. Against General Pinochet, dozens of lawsuits were filed, and all the judiciary had great difficulties to reverse not only problems, but the antics surrounding this controversial character in his armor against their atrocities. Thousands of families are still searching for their missing and it seeks, even today, is remake.

In Colombia, about the terrible events of Bogotazo in 1948, and the Holocaust del Palacio de Justicia, in 1985, archaeologists and forensic anthropologists have tried to explain these cases of violence against society. Events resulted in hundreds of dead and missing. Many are buried in South Cemetery in Bogota without any identification. Clandestine burials open ditches by bulldozers and hundreds of bodies together in huge graves. These caves only started to be open and have the remains exhumed in 1998 and this work still continues today. Currently the government recognizes the act, their mistakes, and try to repair the construction of a memorial and support for professional anthropologists and archaeologists who study and try the physical and genetic identification of those remains. This has enabled some identifications (Rodríguez, 2010). This author also highlights the key role that anthropology and forensic archeology play not only in the scientific realm but also, with equal importance, in the social sphere.

In Argentina, paraphrasing Funari (in Funari & Zarankin & Reis, 2008) "the traces left were infinite." To hide the proceeds of their acts, most put them in sight to be subtracted. The almost unchanged sequence of belonging to a militant or related nucleus, disappearance, confinement in CCDs, corpses on the public highway, autopsy, burial, the corpse NN record (in number), burial in mass graves, which was done in an attempt to justify the unjustifiable. All these tests serve to confirm today the barbaric that devastated the country.

In the 80s after the restoration of democracy in Argentina was created a National Commission on the Disappearance of Persons (CONADEP). Thus, the country began an exhaustive work of exhumation of graves. The majority of studies focused on finding clandestine burials that were scattered throughout the territory. The goal was to find possible missing victims of the era of the Argentine military regime. In this context in 1986 the EAAF (Equipo Argentino Forensic Anthropology) was created with the intention of assisting in the search and identification of these human remains. This non-governmental scientific organization aims to apply the forensic sciences (mainly anthropology and forensic archeology) to investigate violations of human rights, such as war crimes both in Argentina and in the rest of the world.

EAAF currently operates in Latin America, Africa, Asia and Europe (EAAF 2014; Santos 2011). In 2003 was created the LAFAA (Latin American Forensic Anthropology Association) in order to meet and exchange experiences in cases of application of forensic science in legal contexts and police (Fondebrider in Funari Zarankin & Reis 2008).

5 - Forensic Archaeology and his Criminal Context

Criminology is a complex discipline that faces important challenges such as, joint scientific knowledge to ethical issues; be open to interdisciplinary - even legal expertise; and ensure proper interaction between theory and practice to formulate relevant and realistic policies (Debuyst et.al.1995; cited by Rubio 2008).

This interdisciplinarity necessary for criminalists work opened doors in various areas of different fields of knowledge.

The study of forensic evidence using archeology is a new discipline that has rapidly gained importance not only in studies and archaeological contexts but also in investigating real and current crimes. (Hunter et.al., 1996; Hunter & Cox, 2005).

Studies associated with criminalistics forensic archeology provide methods of searching for and locating buried remains, their recovery analysis and identification of human remains including the use of DNA and the age at death as well as recovery of any evidence that could contribute information for the reconstruction of the events that led to this context (Hunter et.al. 1996; Hunter & Cox 2005).

The inserted archaeological practices to criminal contexts began to be applied around the 70s. His appearance almost simultaneous in both North America and Europe, and have spread rapidly throughout the rest of the world (Santos 2011).

In the application of forensic science in criminal context_ there are a number of factors to consider. Starting with the understanding and separation of peri-mortem and post-mortem processes. In addition, it's necessary to be very careful in the identification of natural and anthropic trauma. The study of the processes of putrefaction and a broad knowledge of taphonomy are essential for a good criminal work. Added to this, it's necessary to take into consideration that intrinsic factors to the body (such as age, constitution_ levels of obesity, disease, cause of death, injury / mutilation drugs taken) and extrinsic (eg temperature, humidity changes and continuities factors climate and environmental anthropogenic interference, types and behaviors of the surrounding flora and fauna) determine differences in the duration of the phases .of cadaverous decomposition and its results when the body was discovered. (Silva et.al. 2012).

The forensic archaeologist needs to possess all the skills that involve traditional archeology, understand and adapt that proficiency in a forensic context. These skills also feature: search methods in land; techniques topographical surveys; geophysical methods of searches; mapping techniques; space control; use of heavy equipment; excavation techniques; knowledge of human and comparative anatomy; Recognition of human and non-human skeleton; collection documentation and preservation of artifacts; record of the local; collection of field samples; collection and storage of bone debris or other evidence.

The forensic archaeologist is prepared to have the technical ability necessary to understand and interpret the history and processes of transformation from a crime scene. For this, the taphonomic knowledge is indispensable (Drupas et.al. 2006).

Currently there are a number of manuals that address the role of the anthropologist and forensic archaeologist at the application of techniques in the search for answers before a human skeleton (Krenzer 2006; Bass 2005; Bruikstra & Ubelaker 1994). This contributes a lot in the learning process especially the young archaeologists who want to enter that way.

Forensic cases are excellent for testing osteological techniques and methods developed by physical anthropology. Both anthropology and archeology offer important contributions when applied to a criminal context. In a case study conducted in Montevideo, in Uruguay a missing victim of the military regime in that country was identified by craniometric comparison with overlapping photographs of an individual.

Osteological analysis (sex and age) indicated that the victim was approaching the characteristics of the individual, consistent with the images they had. Subsequent DNA tests confirmed the identity of the victim, ensuring the efficiency of the methods used previously (Işcan et.al. 2005).

However, there is a strong criticism of the methods of overlapping images where there were gross errors of identification of bodies and the returning to the families is misguided. Currently the method undoubtedly more efficient is DNA testing when possible. But this may not be necessary when there is a sum of contextual archaeological evidence leading to forensic identification (Mazz on Funari Zarankin & Reis 2008).

6. Conclusion

In the context discussed here, authoritarian legacies, and transitional justice policies of the past are the three spots that need to be traversed in the social sciences. Forensic archeology aims to bring together the available knowledge and apply them in a practical and objective way. This discipline however involve extensive interdisciplinary or a multidisciplinary that needs greater support from governments and from the academy to achieving more specific goals.

There is no denying the importance of the work of anthropologist and archaeologist when is necessary to treat and study the crimes against humanity. When it comes to missing contexts by military governments the wound is even more painful than just grief for being deceased. In this context, the suitability of the work is very important to identify the remains and their return to loved ones.

Many science and tools need to be available so that the search for memories, documents, stories and finally the bodies and remains of the victims can be successful. The archaeological work in the search for missing persons is essential to the reasoning of truth and should be used extensively in the justice and redemption of evidence process. Thus the evidences redeemed by meticulous work of the archaeologist are crucial tools to tell the sad story of the victims whose lives were interrupted so cruelly and abruptly, and sustain the combat by the impunity of the perpetrators of such crimes.

Working with memory is always a risk, and in fact very difficult. Contradictions and antics are part of the context of the memories, as well as the forgetfulness also make part of the field of souvenir. Documents are reliable since they have not been produced in order to confuse and misinform. Stories are built from the reality and join keepsakes, memories facts, records and not records.

Therefore, the archeology brings the treatment of the remains, and is allied to the fields of genetics, biology, medicine and the wide range of rights, to close the context of the search for truth. That is what needs to be understood by the academic world as the best attempt to contribute to the closing of the cycle, and is what needs to be universalized as a discipline or field of activity.

Forensic archeology has much to contribute to this social context in an attempt to reconstruct the history and return the usurped the voice of violent way and painful to those who had their rights denied again. The main remaining documents, of this sad story are the skeletal remains of victims, once retrieved and examined carefully, can lead us to the truth, the conviction of the guilty and most importantly to those who were: to have their loved ones returned to the context family.

Forensic archeology thus has a social commitment. It is a reliable tool which settles the hope of justice and comfort to those that still suffering from the missing family members or victims of crimes against humanity. And assume a great potential to aid in the forensic current in resolution of crimes recently.

By the bibliography consulted, it's possible to realize that there is still a way to be traveled and the concise single speech, to expand the look to a subject that is treated in the same way in all countries. Also, we need more professionals working in this field to exchange experiences towards a performance closer, since multiple cores with the same problem are around the world.

That the example of the works realized by the researchers who wrote "Forensic Archaeology in the Context of Latin America" and "The Past that not Pass", can be followed and expanded, so that comparisons can be made and punctual and similar, or different analyzes can be understood.

Just when the world find the best way to circumvent the shadows left by the dictatorships, justice will be done to the thousands of victims who were killed and disappeared in the name of fighting for the welfare of their community. And just justice will cherish thousands of hearts suffered from parents, siblings and friends of these victims, lives that mostly were were cut short without the need to justify cruelty and brutality.

Finally, the main contribution of this discipline is, without doubt, beyond the search for truth, contribute to the search for the punishment of those barbarians involved in these tragic realities. The researcher Alexandra Britto (in Martin Pinto, 2-13) says that transitional justice walks in slow motion and this only reinforces the need to strengthen forensic archeology as a discipline, in addition to the search for facts, expressly authorized by processes, can be independent and can awaken, especially new students, the need to consolidate itself as a discipline of high value in social contribution.

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